

Exhibit 22

From: Gibbs, Kirk E COL USARMY CEPOD
(USA)[O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP
(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=43706045382E4D1DAADF013C0
70DE29C-GIBBS, KIRK]
Sent: Thur 8/6/2020 12:09:10 AM (UTC)
To: Hibner, David R COL USARMY CEAGC (USA)[David.R.Hibner@usace.army.mil]
Cc: Lilly, Damon P SES USARMY CEPOD (USA)[Damon.P.Lilly@usace.army.mil];
Kamisato, Brian S SES USARMY CEPOD
(USA)[Brian.S.Kamisato@usace.army.mil]; Hobbie, David S CIV USARMY
CEPOA (USA)[David.S.Hobbie@usace.army.mil]; Newman, Sheila M CIV
USARMY CEPOA (USA)[Sheila.M.Newman@usace.army.mil]
Subject: RE: SPOT REPORT: POTUS remarks ref: Pebble Mine

Thanks Dave, tomorrow morning will be me, you, and Randy. I read through the POTUS comments this afternoon...very interesting. I do expect to see some involvement from the administration.

Kirk

Kirk E. Gibbs
Colonel, US Army Corps of Engineers
Commander, Pacific Ocean Division

Kirk.E.Gibbs@usace.army.mil
O: 808.835.4700
M: 808.220.2121

-----Original Message-----

From: Hibner, David R COL USARMY CEAGC (USA) <David.R.Hibner@usace.army.mil>
Sent: Wednesday, August 5, 2020 2:06 PM
To: Gibbs, Kirk E COL USARMY CEPOD (USA) <Kirk.E.Gibbs@usace.army.mil>
Cc: Lilly, Damon P SES USARMY CEPOD (USA) <Damon.P.Lilly@usace.army.mil>; Kamisato, Brian S
SES USARMY CEPOD (USA) <Brian.S.Kamisato@usace.army.mil>; Hobbie, David S CIV USARMY
CEPOA (USA) <David.S.Hobbie@usace.army.mil>; Newman, Sheila M CIV USARMY CEPOA (USA)
<Sheila.M.Newman@usace.army.mil>
Subject: FW: SPOT REPORT: POTUS remarks ref: Pebble Mine

Sir,

We had a call today with the ASA(CW)'s office, SEN Sullivan, and SEN Murkowski. Following the call, Dave Hobbie received a message that indicated we may begin seeing the administration's involvement. I'll provide more information during our call tomorrow morning assuming the audience on the call is a small one. If not, we can follow up on a smaller group call immediately afterwards.

v/r
Dave

DAVID R. HIBNER
COL, EN
Commander, Alaska District
U.S. Army Corps of Engineers
Ofc: 907-753-2504/2505
Cell: 202-705-5215

-----Original Message-----

From: Dyson, Evan J CIV USARMY CEHQ (USA)
Sent: Wednesday, August 5, 2020 2:37 PM
To: Semonite, Todd T LTG USARMY HQDA OCE (USA) <Todd.T.Semonite@usace.army.mil>
Cc: Gibbs, Kirk E COL USARMY CEPOD (USA) <Kirk.E.Gibbs@usace.army.mil>; Williams, Jason D COL USARMY CEPOD (USA) <Jason.D.Williams4@usace.army.mil>; Hibner, David R COL USARMY CEAGC (USA) <David.R.Hibner@usace.army.mil>; Bloedel, Penny M LTC USARMY CEPOA (USA) <Penny.M.Bloedel@usace.army.mil>; Graham, W Curry (Curry) III CIV USARMY CEHQ (USA) <Curry.Graham@usace.army.mil>; Hill, David C MG USARMY CEHQ (USA) <David.C.Hill@usace.army.mil>; Milhorn, Jeffrey L MG USARMY CEHQ (USA) <Jeffrey.L.Milhorn@usace.army.mil>; Funkhouser, Anthony MG <Anthony.c.funkhouser.mil@mail.mil>; Spellmon, Scott A MG USARMY CEHQ (USA) <Scott.A.Spellmon@usace.army.mil>; Graham, William H (Butch) A26 HQ <William.H.Graham@usace.army.mil>; Pazos, Rafael Felipe (Pete) COL USARMY CEHQ (USA) <Rafael.F.Pazos.mil@usace.army.mil>; Lloyd, John P COL USARMY USACE (USA) <John.P.Lloyd@usace.army.mil>; Toole, Travis N MAJ USARMY CEHQ (USA) <Travis.N.Toole@usace.army.mil>; Toussaint, Patrickson CSM USARMY CEHQ (USA) <Patrickson.Toussaint@usace.army.mil>; CE-UOC <CE-UOC@usace.army.mil>; DLL-HQ-CEPA <DLL-HQ-CEPA@usace.army.mil>; Cooper, David R SES USARMY CEHQ (US) <David.R.Cooper@usace.army.mil>; Massey, Craig W CIV USARMY CEHQ (USA) <Craig.W.Massey@usace.army.mil>; Wethington, David M (Dave) CIV USARMY CEHQ (USA) <David.M.Wethington@usace.army.mil>; Thompson, Michael Anthony CIV USARMY CEHQ (USA) <Michael.A.Thompson@usace.army.mil>; HEITKAMP, RICHARD J BG USARMY CEHQ (USA) <Richard.J.Heitkamp@usace.army.mil>; Caldwell, Lloyd C Jr SES USARMY CEHQ (US) <Lloyd.Caldwell@usace.army.mil>; Johnson-Turner, Brenda M SES USARMY USACE (US) <Brenda.M.Johnson-Turner@usace.army.mil>; Beasley, Lara E SES USARMY CEHQ (USA) <Lara.E.Beasley@usace.army.mil>; Giardina, Antonia R CIV USARMY CEHQ (USA) <Antonia.R.Giardina@usace.army.mil>; Schultz, Michael L SES USARMY CEHQ (USA) <Michael.Schultz@usace.army.mil>; Hirata, Stacey K SES USARMY CEHQ (USA) <Stacey.K.Hirata@usace.army.mil>; Miller, Jennifer S CIV USARMY CEHQ (USA) <Jennifer.S.Miller@usace.army.mil>; Conrad, Kurt M CIV USARMY CEHQ (USA) <Kurt.M.Conrad@usace.army.mil>; Gatz, Christopher P CIV USARMY USACE (USA) <Christopher.P.Gatz@usace.army.mil>; Drew, Johnathon W MAJ USARMY CEHQ (USA) <Johnathon.W.Drew@usace.army.mil>; Jones, Cullen A LTC USARMY CEHQ (USA) <Cullen.A.Jones@usace.army.mil>; Whittle, Robert F Jr MG USARMY CELRD (US) <Robert.F.Whittle@usace.army.mil>; Stiglich, Jill E SES USARMY USACE (USA) <Jill.E.Stiglich@usace.army.mil>; Hanniff, Thomas <thomas.j.hanniff.civ@mail.mil>; Pommerenck, Jeffrey K CIV USARMY USACE (USA) <Jeffrey.K.Pommerenck@usace.army.mil>; Tucker, Patrick H CIV USARMY CEHQ (USA) <Patrick.H.Tucker@usace.army.mil>; Lease, Matthew L CIV USARMY CEHQ (USA) <Matthew.L.Lease@usace.army.mil>; Robinson, Anthony H CIV USARMY CEHQ (USA) <Anthony.H.Robinson@usace.army.mil>; Stubbs, Marguerite C CIV USARMY CEHQ (USA) <Marguerite.C.Stubbs@usace.army.mil>; Brunson, Raini W CIV USARMY USACE (USA) <Raini.W.Brunson@usace.army.mil>; Putnam, Jayson H COL USARMY CEHQ (USA) <Jayson.H.Putnam@usace.army.mil>; Hill, Stephen HQ <Stephen.Hill@usace.army.mil>; Dornstauder, Alex C CIV USARMY CEHQ (USA) <Alex.C.Dornstauder@usace.army.mil>; Altendorf, Christine T SES USARMY CEHQ (USA) <Christine.T.Altendorf@usace.army.mil>; Lecron, Christopher A (Chris) LTC USARMY USACE (USA) <Christopher.A.Lecron@usace.army.mil>; Rayna, Peter J CIV USARMY CEHQ (USA) <Peter.J.Rayna@usace.army.mil>; Lee, Alvin Bryan SES USARMY CEHQ (USA) <Alvin.B.Lee2@usace.army.mil>; Allen, Ana M CIV USARMY CEPOD (USA) <Ana.M.Allen@usace.army.mil>; Vera, San Luciano CIV USARMY CEPOD (USA) <San.L.Vera@usace.army.mil>; Findtner, F T (Tom) CIV USARMY CEPOA (USA) <Tom.Findtner@usace.army.mil>; Budnik, John P CIV USARMY CEPOA (US) <John.P.Budnik@usace.army.mil>; Napolitan, Rachel L CIV USARMY CEPOA (USA) <Rachel.L.Napolitan@usace.army.mil>
Subject: SPOT REPORT: POTUS remarks ref: Pebble Mine

Sir,

FYSA the Pebble Mine came up during the POTUS daily briefing today which just concluded. Exchange below.

Reporter: "Your son, Don, Jr., tweeted yesterday asking you to direct the EPA to reject the Pebble Mine in Bristol Bay, Alaska. It's a giant copper and gold mine. And the thinking is that -"

POTUS: "Reject it in what way?

Reporter: "Just reject its construction. The Army Corps of Engineers two weeks ago suggested it would be okay to proceed with the project but it would... sportsmen like your son are saying it would be harmful to fisheries."

POTUS: "Well I'd listen to both sides. I don't know of the argument yet but I would certainly listen to both sides. My son has some very strong opinions and he is very much an environmentalist and he was very impressed with what we did yesterday because it was one of the great environmental bills and beyond that that was ever signed since, well, I guess over 100 years if you think about it. It's been a long time. But I will look at both sides of it. I had heard of it. I will be, I understand they will be doing a briefing sometime over the next 48 hours, and it's going to be going very quickly. I've done a lot for Alaska. I love Alaska. It's a special place. ANWR was one thing. The highway, Cove highway, or whatever the new name is. Whatever the old name is. We're getting approvals for tremendous highway that's been sought for 40 years. They've been trying to get it approved and I'm getting it approved. We've done a lot for Alaska. It's a special place and I'll take a look at that. That's interesting."

Below is a story detailing the tweet that was referenced.

* President's son Donald Jr. on Twitter calls for blocking Alaska mine in sensitive fishing area
<https://www.washingtonpost.com/climate-environment/2020/08/04/presidents-son-donald-jr-twitter-calls-blocking-alaska-mine-sensitive-fishing-area/>
Washington Post

The president's namesake and the vice president's former top staffer both tweeted Tuesday asking President Trump to block a giant gold and copper mine from being built at the headwaters of the world's greatest sockeye salmon fishery in Alaska.

Just last month, the U.S. Army Corps of Engineers issued a final environmental analysis allowing a small Canadian firm to go ahead with its Pebble Mine near Bristol Bay. The Army Corps in its new report said the project would not cause grave harm to the region's watershed.

But Nick Ayers, Vice President Pence's former chief of staff, said in a tweet that "Like millions of conservationists and sportsmen, I am hoping @realDonaldTrump will direct @EPA to block the Pebble mine in Bristol Bay. A Canadian company will unnecessarily mine the USA's greatest fishery at a severe cost. This should be stopped and I believe @POTUS will do so!"

Shortly afterward, Donald Trump Jr. retweeted Ayers's comment and said: "As a sportsman who has spent plenty of time in the area I agree 100%. The headwaters of Bristol Bay and the surrounding fishery are too unique and fragile to take any chances with. #PebbleMine"

In an interview, Ayers said, "one of my greatest memories as a child was with my father either fishing or hunting and I think one of the things that every outdoorsman and hunter and fisherman thinks about is how he could leave that to their kids or grandkids."

Ayers, who has been to Alaska's salmon fishing grounds, which he called "truly one of the greatest places on the planet," added: "It would be unspeakable to let a foreign company mine an ecosystem important

for the food supply chain."

Trump Jr. declined to comment, but a person familiar with his thinking, who spoke on the condition of anonymity, said that the tweet reflected his own personal views as a sportsman. The president's son has vacationed and fished in Alaska's Bristol Bay for years and has been following the debate over building the gold and copper mine. Although generally supportive of drilling and energy expansion, the president's son considers Alaska's Bristol Bay to be a risky place to put a mine because one misstep could be devastating.

The person familiar with his thinking, however, did not say whether Trump Jr. had discussed it recently with the president, but noted that Trump Jr. had raised the issue with his father as far back as the presidential transition.

The tweets breathed a bit of hope into anxious environmental and conservation groups.

"His personal engagement reflects the unique diversity of opposition across the political spectrum to the Pebble Mine, including among conservatives who appreciate the need to protect the extraordinary Bristol Bay wild salmon fishery," said Joel Reynolds, a senior attorney for the Natural Resources Defense Council (NRDC), about the tweet from Trump Jr.

Reynolds pointed to the range of opponents — a group that includes salmon fishermen, Alaska Native tribes, environmental groups and even mining-friendly lawmakers such as Sen. Joe Manchin III (D-W.Va.) — who have fought to kill the project during the nearly two-decade fight over whether to allow it. The NRDC is also among the groups that have opposed the project.

"It just shows how broad the opposition is to this particular project," Reynolds said. He too hopes that the Trump administration will intervene to stop it, although it has shown no inclination to do so.

Asked about the president's son, Pebble Partnership, the Canadian mining company behind the project, referred to the finding issued just days ago by the Army Corps of Engineers, which found that the mine would not post serious environmental risks. That marked a sharp reversal from a finding by the Obama administration that it would permanently harm the region's unique sockeye salmon fishery.

The final environmental impact statement issued in late July by the Army Corp "shows that both Donald Trump, Jr., and Nick Ayers are wrong," a company spokesman said in an emailed statement. "The EIS concludes that the Pebble mine will not harm the Bristol Bay salmon fishery. We remain confident that the [Army Corps] will issue a [record of decision] in the next few months. We do not believe that the President will interfere with this statutory process."

Much is at stake. The gold and copper mine would transform an area that is now dominated by a \$1.4 billion commercial, recreational and subsistence salmon fishery. Pebble Partnership is planning a mine that will span more than 13 miles and require the construction of a 270-megawatt power plant, a natural gas pipeline, an 82-mile double-lane road, elaborate storage facilities and the dredging of a port at Iliamna Bay. Trucks would make more than a dozen round trips a day to transport the minerals.

The ultimate decision on the Alaskan mine is with the president, who is trying to polish his environmental bona fides ahead of Election Day after his administration spent years rolling back environmental rules.

The president spent Tuesday morning comparing himself to President Theodore Roosevelt, the Republican Party's best known conservationist, while signing a bipartisan bill called the Great American Outdoors Act. The law expands funding to fix the crumbling roads, trails and other infrastructure in national parks and other outdoor areas.

"This is a very big deal," Trump said at the White House signing ceremony. "And from an environmental standpoint and from just the beauty of our country standpoint, there hasn't been anything like this since Teddy Roosevelt, I suspect."

Ayers, now a private equity investor, said he also admired Roosevelt. "It just boils down to this," he said of the Pebble mine. "I love the outdoors and conservation and this would be a tragedy and travesty for this project to move forward."

Evan J. Dyson
U.S. Army Corps of Engineers
Social Media Program Manager (CEPA)
(202) 761-0343
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Join our online communities - <http://about.me/USACEHQ>

From: Hobbie, David S CIV USARMY CEPOA (USA)[David.S.Hobbie@usace.army.mil]
Sent: Fri 8/21/2020 5:49:20 AM (UTC)
To: Bowker, Randall L CIV USARMY CEPOA
(USA)[Randall.L.Bowker@usace.army.mil]; Leseman, Jackie R -
DELETED[Jackie.R.Leseman@usace.army.mil]
Cc: Delarosa, Damon A COL USARMY CEPOA
(USA)[Damon.A.Delarosa@usace.army.mil]; Newman, Sheila M CIV USARMY
CEPOA (USA)[Sheila.M.Newman@usace.army.mil]
Subject: RE: CODEL

Randy,
Thanks, will give her a call in the morning.

VR
Dave

Sent via the Samsung Galaxy S9, an AT&T 5G Evolution capable smartphone

----- Original message -----

From: "Bowker, Randall L CIV USARMY CEPOA (USA)"
<Randall.L.Bowker@usace.army.mil>
Date: 8/20/2020 9:37 PM (GMT-09:00)
To: "Hobbie, David S CIV USARMY CEPOA (USA)" <David.S.Hobbie@usace.army.mil>, "Leseman, Jackie R CIV USARMY CEPOA (USA)" <Jackie.R.Leseman@usace.army.mil>
Cc: "Delarosa, Damon A A24 POA" <Damon.A.Delarosa@usace.army.mil>, "Newman, Sheila M CIV USARMY CEPOA (USA)" <Sheila.M.Newman@usace.army.mil>
Subject: RE: CODEL

Dave, I think Jackie is on leave, but I think she has her computer. You might want to send her a text.

Randy

Randy L. Bowker, PE
Deputy District Engineer and Chief PPMD
Alaska District USACE
907-753-5728 Office
907-382-2597 Mobile

From: Hobbie, David S CIV USARMY CEPOA (USA) <David.S.Hobbie@usace.army.mil>
Date: Thursday, Aug 20, 2020, 2:29 PM

To: Leseman, Jackie R CIV USARMY CEPOA (USA) <Jackie.R.Leseman@usace.army.mil>
Cc: Delarosa, Damon A A24 POA <Damon.A.Delarosa@usace.army.mil>, Newman, Sheila M CIV USARMY CEPOA (USA) <Sheila.M.Newman@usace.army.mil>, Bowker, Randall L CIV USARMY CEPOA (USA) <Randall.L.Bowker@usace.army.mil>
Subject: CODEL

Jackie,

Tomorrow morning, need you to send the note/s below to the Alaska Congressional Delegation. As you can see, there is a note for Senator Sullivan and Murkowski and one for Representative Young. Just so when they ask, they will not be provided an advance of the letter, but we do want them to be aware.

Please confirm receipt.

VR

Dave

Senator Murkowski/Senator Sullivan

As previously discussed, USACE will be sending a letter to Pebble Limited Partnership on August 24, 2020 identifying our finding of significant degradation in the Koktuli River Watershed and the specific requirements for compensatory mitigation under Section 404 of the Clean Water Act. The letter is reflective of the consensus findings of the USACE, USFWS, and USEPA throughout our Clean Water Act Section 404 analyses and deliberations regarding the least environmentally damaging practicable alternative, subsequent factual determinations, finding of significant degradation within the Koktuli River Watershed and identification of compensatory mitigation requirements. We greatly appreciate the hard work and collaboration from USEPA Region 10 and USFWS Alaska Region throughout this process. The letter will be publically available at approximately 0900 on Monday, August 24, 2020 on our project website pebbleprojecteis.com.

Representative Young

USACE will be sending a letter to Pebble Limited Partnership on August 24, 2020 identifying our finding of significant degradation in the Koktuli River Watershed and the specific requirements for compensatory mitigation under Section 404 of the Clean Water Act. The letter is reflective of the consensus findings of the USACE, USFWS, and USEPA throughout our Clean Water Act Section 404 analyses and deliberations regarding the least environmentally damaging practicable alternative, subsequent factual determinations, finding of significant degradation within the Koktuli River Watershed and identification of compensatory mitigation requirements. We greatly appreciate the hard work and collaboration from USEPA Region 10 and USFWS Alaska Region throughout this process. The letter will be publically available at approximately 0900 on Monday, August 24, 2020 on our project website pebbleprojecteis.com.

(b) (6)

CIV USARMY HQDA CALS (USA)

From: (b) (6) CIV USARMY HQDA ASA CW (USA)
Sent: Monday, August 24, 2020 12:06 PM
To: (b) (6) LTC USARMY HQDA OCPA (USA)
Cc: (b) (6) CIV USARMY HQDA ASA CW (USA); Fisher, Ryan A SES USARMY HQDA ASA CW (USA)
Subject: RE: Pebble Mine statement for review by Under

(b) (6)

We are clear to issue the statement at this point. The Alaska District has officially posted the relevant information to their website and transmitted it to the applicant. Please move ahead as soon as you are able. Thank you!

Best wishes,

(b) (6)

Assistant for Regulatory and Tribal Affairs
Office of the Assistant Secretary of the Army (Civil Works)

(b) (6)

From: (b) (6) CIV USARMY HQDA ASA CW (USA)
Sent: Monday, August 24, 2020 10:00 AM
To: (b) (6) LTC USARMY HQDA OCPA (USA) <(b) (6)> Fisher, Ryan A SES USARMY
Cc: (b) (6) CIV USARMY HQDA ASA CW (USA) <(b) (6)>
HQDA ASA CW (USA) <(b) (6)>
Subject: RE: Pebble Mine statement for review by Under

(b) (6)

We just spoke with the Under's XO, (b) (6). The Under has now cleared the original statement. Please use the below and we are comfortable with you disseminating it through your channels to the Alaska delegation ahead of time. Please ensure the statement is released at 1300 today. Please let me know if you have any questions in the meantime. Thank you!

START

This administration supports the mining industry and acknowledges the benefits the industry has provided to the economy and productivity of this country, from job creation to the extraction of valuable resources, which are especially important as we recover from this pandemic. The Pebble Mine project has the potential to fulfill all of those needs; however, as currently proposed, the project could have substantial environmental impacts within the unique Bristol Bay watershed and lacks adequate compensatory mitigation.

Given these concerns, the U.S. Army Corps of Engineers (Corps) finds under section 404 of the Clean Water Act that the project, as proposed, would likely result in significant degradation of the environment and would likely result in significant adverse effects on the aquatic system or human environment. This finding is based on factual determinations, evaluations, and tests required by subparts (b) and (g), and after consideration of subparts (c) through (f) and (h) of the 404 (b)(1) guidelines. This record is laid out in the Environmental Impact Statement published on July 24, 2020.

Therefore, the Corps finds that the project, as currently proposed, cannot be permitted under section 404 of the Clean Water Act.

END

Best wishes,

(b) (6)

Assistant for Regulatory and Tribal Affairs
Office of the Assistant Secretary of the Army (Civil Works)

(b) (6)

From: (b) (6) LTC USARMY HQDA OCPA (USA) <(b) (6)
Sent: Monday, August 24, 2020 8:43 AM
To: (b) (6) CIV USARMY HQDA ASA CW (USA) <(b) (6) (b) (6) CIV
USARMY HQDA ASA CW (USA) <(b) (6) Fisher, Ryan A SES USARMY HQDA ASA CW (USA)
<(b) (6)
Subject: Fwd: Pebble Mine statement for review by Under

Sir et al.,

This is the statement the Under Secretary revised and approved:

START

The U.S. Army Corps of Engineers finds that the Pebble Mine project, as currently proposed, cannot be issued a permit under section 404 of the Clean Water Act. The Pebble Mine project has the potential to fulfill economic needs for the nation; however, as currently proposed, the project could have substantial environmental impacts within the unique Bristol Bay watershed and lacks adequate compensatory mitigation.

Given these concerns, the U.S. Army Corps of Engineers finds under section 404 of the Clean Water Act that the project, as proposed, would likely result in significant degradation of the environment and would likely result in significant adverse effects on the aquatic system or human environment. This finding is based on factual determinations, evaluations, and tests required by subparts (b) and (g), and after consideration of subparts (c) through (f) and (h) of the 404 (b)(1) guidelines. This record is laid out in the Environmental Impact Statement published on July 24, 2020.

END

We are staffing it now. Additionally, he would like the Alaska congressional delegation to get the statement in advance of the public release. Do you have any issues or concerns with any of this?

V/r,

(b) (6)

LTC (b) (6)

Army Public Affairs

Media Relations Division

Office: (b) (6)

| ☎ DSN: (b) (6)

| ☎ Cell: (b) (6)

✉ NIPR: (b) (6)

| ✉ SIPR: (b) (6)

From: '(b) (6)' COL USARMY HQDA OCPA (USA)"

<(b) (6)

Date: Monday, August 24, 2020 at 7:49:57 AM

To: '(b) (6)' LTC USARMY HQDA SECARMY (USA)"

<(b) (6)

'(b) (6)

LTC USARMY HQDA OCPA (USA)"

<(b) (6)

Cc: '(b) (6)' CIV USARMY HQDA OCPA (USA)" <(b) (6)"

"Hannah, Amy E BG USARMY HQDA OCPA (USA)" <(b) (6)"

'(b) (6)' CIV USARMY HQDA OCPA (USA)" <(b) (6)"

'(b) (6)' CIV USARMY HQDA OCPA (USA)" <(b) (6)"

Subject: RE: Pebble Mine statement for review by Under

Thank you (b) (6)

(b) (6)

(b) (5)

START

The U.S. Army Corps of Engineers finds that the Pebble Mine project, as currently proposed, cannot be issued a permit under section 404 of the Clean Water Act. The Pebble Mine project has the potential to fulfill economic needs for the nation; however, as currently proposed, the project could have substantial environmental impacts within the unique Bristol Bay watershed and lacks adequate compensatory mitigation.

Given these concerns, the U.S. Army Corps of Engineers finds under section 404 of the Clean Water Act that the project, as proposed, would likely result in significant degradation of the environment and would likely result in significant adverse effects on the aquatic system or human environment. This finding is based on factual determinations, evaluations, and tests required by subparts (b) and (g), and after consideration of subparts (c) through (f) and (h) of the 404 (b)(1) guidelines. This record is laid out in the Environmental Impact Statement published on July 24, 2020.

END

vr

(b) (6)

From: (b) (6) LTC USARMY HQDA SECARMY (USA) <(b) (6)>
Sent: Monday, August 24, 2020 7:41 AM
To: (b) (6) COL USARMY HQDA OCPA (USA) <(b) (6)>
Cc: (b) (6) CIV USARMY HQDA OCPA (USA) <(b) (6)> Hannah, Amy E BG
USARMY HQDA OCPA (USA) <(b) (6)>
Subject: RE: Pebble Mine statement for review by Under

(b) (6)

Ma'am, Mr. McPherson had one edit, he is good with this statement (below) after it is reviewed by OGC. I can ask my XO to expedite the OGC review this morning when he arrives. Additionally, Mr. McPherson would like the Alaska congressional delegation to get the statement in advance of the public release and we have prepped our Leg. affairs officer to be prepared to support:

START

The U.S. Army Corps of Engineers finds that the Pebble Mine project, as currently proposed, cannot be issued a permit under section 404 of the Clean Water Act. The Pebble Mine project has the potential to fulfill economic needs for the nation; however, as currently proposed, the project could have substantial environmental impacts within the unique Bristol Bay watershed and lacks adequate compensatory mitigation.

Given these concerns, the U.S. Army Corps of Engineers finds under section 404 of the Clean Water Act that the project, as proposed, would likely result in significant degradation of the environment and would likely result in significant adverse effects on the aquatic system or human environment. This finding is based on factual determinations, evaluations, and tests required by subparts (b) and (g), and after consideration of subparts (c) through (f) and (h) of the 404 (b)(1) guidelines. This record is laid out in the Environmental Impact Statement published on July 24, 2020.

END

v/r

(b) (6)

From: (b) (6) COL USARMY HQDA OCPA (USA) <(b) (6)
Sent: Friday, August 21, 2020 5:18 PM
To: (b) (6) LTC USARMY HQDA SECARMY (USA) <(b) (6)
Cc: (b) (6) CIV USARMY HQDA OCPA (USA) <(b) (6) Hannah, Amy E BG
USARMY HQDA OCPA (USA) <(b) (6)
Subject: Pebble Mine statement for review by Under

(b) (6)

This language appears to have been approved by someone at the White House. Mr. Fisher is the POC who coordinated for the Army. He is requesting that the Army issue this release on Monday at 1300.

Original:

This administration supports the mining industry and acknowledges the benefits the industry has provided to the economy and productivity of this country, from job creation to the extraction of valuable resources, which are especially important as we recover from this pandemic. The Pebble Mine project has the potential to fulfill all of those needs; however, as currently proposed, the project could have substantial environmental impacts within the unique Bristol Bay watershed and lacks adequate compensatory mitigation.

Given these concerns, the U.S. Army Corps of Engineers (Corps) finds under section 404 of the Clean Water Act that the project, as proposed, would likely result in significant degradation of the environment and would likely result in significant adverse effects on the aquatic system or human environment. This finding is based on factual determinations, evaluations, and tests required by subparts (b) and (g), and after consideration of subparts (c) through (f) and (h) of the 404 (b)(1) guidelines. This record is laid out in the Environmental Impact Statement published on July 24, 2020.

Therefore, the Corps finds that the project, as currently proposed, cannot be permitted under section 404 of the Clean Water Act.

BG Hannah would like you to please let the Under know about this and request his consideration/approval of this adjustment:

The U.S. Army Corps of Engineers finds that the Pebble Mine project, as currently proposed, cannot be permitted under section 404 of the Clean Water Act. The Pebble Mine project has the potential to fulfill economic needs for the nation; however, as currently proposed, the project could have substantial environmental impacts within the unique Bristol Bay watershed and lacks adequate compensatory mitigation.

Given these concerns, the U.S. Army Corps of Engineers finds under section 404 of the Clean Water Act that the project, as proposed, would likely result in significant degradation of the environment and would likely result in significant adverse effects on the aquatic system or human environment. This finding is based on factual determinations, evaluations, and tests

required by subparts (b) and (g), and after consideration of subparts (c) through (f) and (h) of the 404 (b)(1) guidelines. This record is laid out in the Environmental Impact Statement published on July 24, 2020.

They want to issue this statement at 1300 on Monday.

Vr

(b) (6)

From: (b) (6) LTC USARMY HQDA OCPA (USA) <(b) (6)
Sent: Friday, August 21, 2020 3:29 PM
To: (b) (6) CIV USARMY HQDA ASA CW (USA) <(b) (6)
Cc: (b) (6) CIV USARMY HQDA ASA CW (USA) <(b) (6) Fisher, Ryan A
SES USARMY HQDA ASA CW (USA) <(b) (6) (b) (6) COL USARMY
HQDA OCPA (USA) <(b) (6) (b) (6) CIV USARMY HQDA OCPA
(USA) <(b) (6) (b) (6) CIV USARMY HQDA OCPA (USA)
<(b) (6) (b) (6) CIV USARMY HQDA OCPA (USA)
<(b) (6) (b) (6) CIV USARMY HQDA OCPA (USA)
Subject: Re: Statement for Release

Got it, (b) (6) We will work this, edit appropriately and get the CPA's approval before issuing Monday at 1300. I'll make sure you all see the final version for your approval well before we publish. More to follow soon.

V/r,

(b) (6)

LTC (b) (6)
Army Public Affairs

Media Relations Division

Office: (b) (6) | DSN: (b) (6) | Cell: (b) (6)
NIPR: (b) (6) | SIPR: (b) (6)

From: '(b) (6)' CIV USARMY HQDA ASA CW (USA)
<(b) (6)>
Date: Friday, August 21, 2020 at 3:10:01 PM
To: '(b) (6)' LTC USARMY HQDA OCPA (USA)
<(b) (6)>
Cc: '(b) (6)' CIV USARMY HQDA ASA CW (USA)
<(b) (6)> "Fisher, Ryan A SES USARMY HQDA ASA
CW (USA)" <(b) (6)>
Subject: Fwd: Statement for Release

Good afternoon (b) (6)

Please see below for a request from the Principal Deputy ASA(CW) for OCPA to release a statement on Monday, 24 August at 1300 re: Section 404 of the Clean Water Act.

(b) (6) is our subject matter expert, and is CC'd above for any technical questions.

Please let me know if there is anything needed from me to help fulfill this request.

Thanks,

(b) (6)

Special Assistant to the Principal Deputy Assistant Secretary of the Army (Civil Works)

The Pentagon, Washington D.C. - (b) (6)

C: (b) (6)

(b) (6)

From: "Fisher, Ryan A SES USARMY HQDA ASA CW (USA)"
<(b) (6)>
Date: Friday, August 21, 2020 at 1:55:23 PM
To: '(b) (6)' CIV USARMY HQDA ASA CW
(USA)" <(b) (6)>
Cc: '(b) (6)' CIV USARMY HQDA ASA CW (USA)"
<(b) (6)>
Subject: Statement for Release

(b) (6)

Please find below a statement from the OASACW that I would like OCPA to issue on Monday, 24 AUG @ 13:00. Please run it by OCPA for formatting purposes. CC: (b) (6) in case they have any technical questions.

Thanks!

Ryan

This administration supports the mining industry and acknowledges the benefits the industry has provided to the economy and productivity of this country, from job creation to the extraction of valuable resources, which are especially important as we recover from this pandemic. The Pebble Mine project has the potential to fulfill all of those needs; however, as currently proposed, the project could have substantial environmental impacts within the unique Bristol Bay watershed and lacks adequate compensatory mitigation.

Given these concerns, the U.S. Army Corps of Engineers (Corps) finds under section 404 of the Clean Water Act that the project, as proposed, would likely result in significant degradation of the environment and would likely result in significant adverse effects on the aquatic system or human environment. This finding is based on factual determinations, evaluations, and tests required by subparts (b) and (g), and after consideration of subparts (c) through (f) and (h) of the 404 (b)(1) guidelines. This record is laid out in the Environmental Impact Statement published on July 24, 2020.

Therefore, the Corps finds that the project, as currently proposed, cannot be permitted under section 404 of the Clean Water Act.

(b) (6)

CIV USARMY HQDA CALS (USA)

From: (b) (6) LTC USARMY HQDA OCPA (USA)
Sent: Monday, August 24, 2020 12:09 PM
To: (b) (6) CIV USARMY HQDA ASA CW (USA)
Cc: (b) (6) CIV USARMY HQDA ASA CW (USA); Fisher, Ryan A SES USARMY HQDA ASA CW (USA); (b) (6) COL USARMY HQDA OCPA (USA); (b) (6) CIV USARMY HQDA OCPA (USA); (b) (6) CIV USARMY HQDA OCPA (USA); (b) (6) CIV USARMY HQDA OCPA (USA)
Subject: Re: Pebble Mine statement for review by Under

Tracking, Stacey. Thanks!

V/r,

(b) (6)

LTC (b) (6)
Army Public Affairs
Media Relations Division

Office: (b) (6) | DSN: (b) (6) | Cell: (b) (6)
NIPR: (b) (6) | SIPR: (b) (6)

From: '(b) (6)' CIV USARMY HQDA ASA CW (USA)" <(b) (6)>
Date: Monday, August 24, 2020 at 12:06:30 PM
To: '(b) (6)' LTC USARMY HQDA OCPA (USA)" <(b) (6)>
Cc: '(b) (6)' CIV USARMY HQDA ASA CW (USA)" <(b) (6)> "Fisher,
Ryan A SES USARMY HQDA ASA CW (USA)" <(b) (6)>
Subject: RE: Pebble Mine statement for review by Under

(b) (6)

We are clear to issue the statement at this point. The Alaska District has officially posted the relevant information to their website and transmitted it to the applicant. Please move ahead as soon as you are able. Thank you!

Best wishes,

(b) (6)

Assistant for Regulatory and Tribal Affairs

(b) (6)

From: (b) (6) CIV USARMY HQDA ASA CW (USA)
Sent: Monday, August 24, 2020 10:00 AM
To: (b) (6) LTC USARMY HQDA OCPA (USA) <(b) (6)>
Cc: (b) (6) CIV USARMY HQDA ASA CW (USA) <(b) (6)> [REDACTED] Fisher,
Ryan A SES USARMY HQDA ASA CW (USA) <(b) (6)>
Subject: RE: Pebble Mine statement for review by Under

(b) (6)

We just spoke with the Under's XO, (b) (6). The Under has now cleared the original statement. Please use the below and we are comfortable with you disseminating it through your channels to the Alaska delegation ahead of time. Please ensure the statement is released at 1300 today. Please let me know if you have any questions in the meantime. Thank you!

START

This administration supports the mining industry and acknowledges the benefits the industry has provided to the economy and productivity of this country, from job creation to the extraction of valuable resources, which are especially important as we recover from this pandemic. The Pebble Mine project has the potential to fulfill all of those needs; however, as currently proposed, the project could have substantial environmental impacts within the unique Bristol Bay watershed and lacks adequate compensatory mitigation.

Given these concerns, the U.S. Army Corps of Engineers (Corps) finds under section 404 of the Clean Water Act that the project, as proposed, would likely result in significant degradation of the environment and would likely result in significant adverse effects on the aquatic system or human environment. This finding is based on factual determinations, evaluations, and tests required by subparts (b) and (g), and after consideration of subparts (c) through (f) and (h) of the 404 (b)(1) guidelines. This record is laid out in the Environmental Impact Statement published on July 24, 2020.

Therefore, the Corps finds that the project, as currently proposed, cannot be permitted under section 404 of the Clean Water Act.

END

Best wishes,

(b) (6)

Assistant for Regulatory and Tribal Affairs

Office of the Assistant Secretary of the Army (Civil Works)

(b) (6)

From: (b) (6) LTC USARMY HQDA OCPA (USA) <(b) (6)>
Sent: Monday, August 24, 2020 8:43 AM
To: (b) (6) CIV USARMY HQDA ASA CW (USA) <(b) (6)> (b) (6)
CIV USARMY HQDA ASA CW (USA) <(b) (6)> Fisher, Ryan A SES
USARMY HQDA ASA CW (USA) <(b) (6)>
Subject: Fwd: Pebble Mine statement for review by Under

Sir et al.,

This is the statement the Under Secretary revised and approved:

START

The U.S. Army Corps of Engineers finds that the Pebble Mine project, as currently proposed, cannot be issued a permit under section 404 of the Clean Water Act. The Pebble Mine project has the potential to fulfill economic needs for the nation; however, as currently proposed, the project could have substantial environmental impacts within the unique Bristol Bay watershed and lacks adequate compensatory mitigation.

Given these concerns, the U.S. Army Corps of Engineers finds under section 404 of the Clean Water Act that the project, as proposed, would likely result in significant degradation of the environment and would likely result in significant adverse effects on the aquatic system or human environment. This finding is based on factual determinations, evaluations, and tests required by subparts (b) and (g), and after consideration of subparts (c) through (f) and (h) of the 404 (b)(1) guidelines. This record is laid out in the Environmental Impact Statement published on July 24, 2020.

END

We are staffing it now. Additionally, he would like the Alaska congressional delegation to get the statement in advance of the public release. Do you have any issues or concerns with any of this?

V/r,

(b) (6)

LTC (b) (6)

Army Public Affairs
Media Relations Division

 Office: (b) (6) |  DSN: (b) (6) |  Cell: (b) (6)
 NIPR: (b) (6) |  SIPR: (b) (6)

From: '(b) (6)' COL USARMY HQDA OCPA (USA)"
<(b) (6)>
Date: Monday, August 24, 2020 at 7:49:57 AM
To: '(b) (6)' LTC USARMY HQDA SECARMY (USA)"
<(b) (6)> '(b) (6)' LTC USARMY HQDA OCPA (USA)"
<(b) (6)>
Cc: '(b) (6)' CIV USARMY HQDA OCPA (USA)" <(b) (6)>
"Hannah, Amy E BG USARMY HQDA OCPA (USA)" <(b) (6)>
'(b) (6)' CIV USARMY HQDA OCPA (USA)" <(b) (6)>
'(b) (6)' CIV USARMY HQDA OCPA (USA)" <(b) (6)>
Subject: RE: Pebble Mine statement for review by Under

Thank you (b) (6)

(b) (6)

(b) (5)

START

The U.S. Army Corps of Engineers finds that the Pebble Mine project, as currently proposed, cannot be issued a permit under section 404 of the Clean Water Act. The Pebble Mine project has the potential to fulfill economic needs for the nation; however, as currently proposed, the project could have substantial environmental impacts within the unique Bristol Bay watershed and lacks adequate compensatory mitigation.

Given these concerns, the U.S. Army Corps of Engineers finds under section 404 of the Clean Water Act that the project, as proposed, would likely result in significant degradation of the environment and would likely result in significant adverse effects on the aquatic system or human environment. This finding is based on factual determinations, evaluations, and tests required by subparts (b) and (g), and after consideration of subparts (c) through (f) and (h) of the 404 (b)(1) guidelines. This record is laid out in the Environmental Impact Statement published on July 24, 2020.

END

vr

(b) (6)

From: (b) (6) LTC USARMY HQDA SECARMY (USA)
<(b) (6)>
Sent: Monday, August 24, 2020 7:41 AM
To: (b) (6) COL USARMY HQDA OCPA (USA)
<(b) (6)>
Cc: (b) (6) CIV USARMY HQDA OCPA (USA) <(b) (6)>
Hannah, Amy E BG USARMY HQDA OCPA (USA) <(b) (6)>
Subject: RE: Pebble Mine statement for review by Under

(b) (6)

Ma'am, Mr. McPherson had one edit, he is good with this statement (below) after it is reviewed by OGC. I can ask my XO to expedite the OGC review this morning when he arrives. Additionally, Mr. McPherson would like the Alaska congressional delegation to get the statement in advance of the public release and we have prepped our Leg. affairs officer to be prepared to support:

START

The U.S. Army Corps of Engineers finds that the Pebble Mine project, as currently proposed, cannot be issued a permit under section 404 of the Clean Water Act. The Pebble Mine project has the potential to fulfill economic needs for the nation; however, as currently proposed, the project could have substantial environmental impacts within the unique Bristol Bay watershed and lacks adequate compensatory mitigation.

Given these concerns, the U.S. Army Corps of Engineers finds under section 404 of the Clean Water Act that the project, as proposed, would likely result in significant degradation of the environment and would likely result in significant adverse effects on the aquatic system or human environment. This finding is based on factual determinations, evaluations, and tests required by subparts (b) and (g), and after consideration of subparts (c) through (f) and (h) of the 404 (b)(1) guidelines. This record is laid out in the Environmental Impact Statement published on July 24, 2020.

END

v/r

(b) (6)

From: (b) (6) COL USARMY HQDA OCPA (USA)
<(b) (6)>
Sent: Friday, August 21, 2020 5:18 PM
To: (b) (6) LTC USARMY HQDA SECARMY (USA)
<(b) (6)>
Cc: (b) (6) CIV USARMY HQDA OCPA (USA) <(b) (6)>
Hannah, Amy E BG USARMY HQDA OCPA (USA) <(b) (6)>
Subject: Pebble Mine statement for review by Under

(b) (6)

This language appears to have been approved by someone at the White House. Mr. Fisher is the POC who coordinated for the Army. He is requesting that the Army issue this release on Monday at 1300.

Original:

This administration supports the mining industry and acknowledges the benefits the industry has provided to the economy and productivity of this country, from job creation to the extraction of valuable resources, which are especially important as we recover from this pandemic. The Pebble Mine project has the potential to fulfill all of those needs; however, as currently proposed, the project could have substantial environmental impacts within the unique Bristol Bay watershed and lacks adequate compensatory mitigation.

Given these concerns, the U.S. Army Corps of Engineers (Corps) finds under section 404 of the Clean Water Act that the project, as proposed, would likely result in significant degradation of the environment and would likely result in significant adverse effects on the aquatic system or human environment. This finding is based on factual determinations, evaluations, and tests required by subparts (b) and (g), and after consideration of subparts (c) through (f) and (h) of the 404 (b)(1) guidelines. This record is laid out in the Environmental Impact Statement published on July 24, 2020.

Therefore, the Corps finds that the project, as currently proposed, cannot be permitted under section 404 of the Clean Water Act.

BG Hannah would like you to please let the Under know about this and request his consideration/approval of this adjustment:

The U.S. Army Corps of Engineers finds that the Pebble Mine project, as currently proposed, cannot be permitted under section 404 of the Clean Water Act. The Pebble

Mine project has the potential to fulfill economic needs for the nation; however, as currently proposed, the project could have substantial environmental impacts within the unique Bristol Bay watershed and lacks adequate compensatory mitigation.

Given these concerns, the U.S. Army Corps of Engineers finds under section 404 of the Clean Water Act that the project, as proposed, would likely result in significant degradation of the environment and would likely result in significant adverse effects on the aquatic system or human environment. This finding is based on factual determinations, evaluations, and tests required by subparts (b) and (g), and after consideration of subparts (c) through (f) and (h) of the 404 (b)(1) guidelines. This record is laid out in the Environmental Impact Statement published on July 24, 2020.

They want to issue this statement at 1300 on Monday.

Vr

(b) (6)

From: (b) (6) LTC USARMY HQDA OCPA (USA) <(b) (6)
Sent: Friday, August 21, 2020 3:29 PM
To: (b) (6) CIV USARMY HQDA ASA CW (USA)
<(b) (6)
Cc: (b) (6) CIV USARMY HQDA ASA CW (USA)
<(b) (6) Fisher, Ryan A SES USARMY HQDA ASA CW (USA)
<(b) (6) (b) (6) COL USARMY HQDA OCPA (USA)
<(b) (6) (b) (6) CIV USARMY HQDA OCPA (USA)
<(b) (6) (b) (6) CIV USARMY HQDA OCPA (USA)
<(b) (6) (b) (6) CIV USARMY HQDA OCPA (USA)
<(b) (6) (b) (6) CIV USARMY HQDA OCPA (USA)
Subject: Re: Statement for Release

Got it, (b) (6). We will work this, edit appropriately and get the CPA's approval before issuing Monday at 1300. I'll make sure you all see the final version for your approval well before we publish. More to follow soon.

V/r,

(b) (6)

LTC (b) (6)

Army Public Affairs
Media Relations Division

Office: (b) (6)

DSN: (b) (6)

Cell: (b) (6)

NIPR: (b) (6)
SIPR: (b) (6)

From: '(b) (6)' CIV USARMY HQDA ASA CW (USA)
<(b) (6)>
Date: Friday, August 21, 2020 at 3:10:01 PM
To: '(b) (6)' LTC USARMY HQDA OCPA (USA)
<(b) (6)>
Cc: '(b) (6)' CIV USARMY HQDA ASA CW (USA)
<(b) (6)> "Fisher, Ryan A SES USARMY HQDA
ASA CW (USA)" <(b) (6)>
Subject: Fwd: Statement for Release

Good afternoon (b) (6)

Please see below for a request from the Principal Deputy ASA(CW) for OCPA to release a statement on Monday, 24 August at 1300 re: Section 404 of the Clean Water Act.

(b) (6) is our subject matter expert, and is CC'd above for any technical questions.

Please let me know if there is anything needed from me to help fulfill this request.

Thanks,

(b) (6)

Special Assistant to the Principal Deputy Assistant Secretary of the Army
(Civil Works)

The Pentagon, Washington D.C. - (b) (6)

C: 703-216-5459

(b) (6)

From: "Fisher, Ryan A SES USARMY HQDA ASA CW
(USA)" <(b) (6)>
Date: Friday, August 21, 2020 at 1:55:23 PM
To: "(b) (6)" CIV USARMY HQDA ASA CW
(USA) <(b) (6)>
Cc: "(b) (6)" CIV USARMY HQDA ASA CW
(USA) <(b) (6)>
Subject: Statement for Release

(b) (6)

Please find below a statement from the OASACW that I would like OCPA to issue on Monday, 24 AUG @ 13:00. Please run it by OCPA for formatting purposes. CC: (b) (6) in case they have any technical questions.

Thanks!

Ryan

This administration supports the mining industry and acknowledges the benefits the industry has provided to the economy and productivity of this country, from job

creation to the extraction of valuable resources, which are especially important as we recover from this pandemic. The Pebble Mine project has the potential to fulfill all of those needs; however, as currently proposed, the project could have substantial environmental impacts within the unique Bristol Bay watershed and lacks adequate compensatory mitigation.

Given these concerns, the U.S. Army Corps of Engineers (Corps) finds under section 404 of the Clean Water Act that the project, as proposed, would likely result in significant degradation of the environment and would likely result in significant adverse effects on the aquatic system or human environment. This finding is based on factual determinations, evaluations, and tests required by subparts (b) and (g), and after consideration of subparts (c) through (f) and (h) of the 404 (b)(1) guidelines. This record is laid out in the Environmental Impact Statement published on July 24, 2020.

Therefore, the Corps finds that the project, as currently proposed, cannot be permitted under section 404 of the Clean Water Act.

From: [Delarosa, Damon A A24 POA](#)
To: [Gibbs, Kirk E COL USARMY CEPOD \(USA\)](#)
Subject: RE: USACE Daily News: August 24, 2020 (UNCLASSIFIED)
Date: Monday, August 24, 2020 9:25:00 AM

Acknowledged, Sir. We are in a corporate board meeting now, and discussing Pebble. We will stay the course and follow the process.

v/r
Damon

COL Damon A. Delarosa
Commander and District Engineer
Alaska District, U.S. Army Corps of Engineers
(o) (907)753-2504/2505
(c) (907)201-6519
damon.a.delarosa@usace.army.mil

-----Original Message-----

From: Gibbs, Kirk E COL USARMY CEPOD (USA) <Kirk.E.Gibbs@usace.army.mil>
Sent: Monday, August 24, 2020 9:22 AM
To: Delarosa, Damon A A24 POA <Damon.A.Delarosa@usace.army.mil>
Subject: FW: USACE Daily News: August 24, 2020 (UNCLASSIFIED)

Damon - you have probably seen the Pebble Mine articles already but discussed briefly just now with the CG on the MSC CDR's Call. His words, "Don't worry about what the White House may or may not do, continue doing our job."

Kirk E. Gibbs
Colonel, US Army Corps of Engineers
Commander, Pacific Ocean Division

Kirk.E.Gibbs@usace.army.mil
O: 808.835.4700
M: 808.220.2121

-----Original Message-----

From: Ropp, Kevin L CIV USARMY CEHQ (USA) <Kevin.L.Ropp@usace.army.mil>
Sent: Monday, August 24, 2020 1:43 AM
To: Ropp, Kevin L CIV USARMY CEHQ (USA) <Kevin.L.Ropp@usace.army.mil>
Subject: USACE Daily News: August 24, 2020 (UNCLASSIFIED)

CLASSIFICATION: UNCLASSIFIED

USACE Daily News
August 24, 2020

Border Barrier:

* Border Wall Construction Set To Begin Near Historic Cemeteries In South Texas
<https://theintercept.com/2020/08/23/border-wall-construction-historic-cemeteries-texas/>
The Intercept - New York, NY - 8.23.20

National:

* Residents flee as Gulf Coast sees possible tandem hurricanes

<https://apnews.com/76f2a9d689d179879fd6dd39ea997165>

Associated Press - New York, NY - 8.24.20

* Trump set to block controversial Alaska gold mine

<https://www.politico.com/news/2020/08/22/trump-set-to-block-alaska-pebble-mine-400206>

Politico - Washington, DC - 8.22.20

* Army Corps to Ask for More Environmental-Protection Measures for Pebble Mine Project in Alaska, Official Says

<https://www.wsj.com/articles/army-corps-to-ask-for-more-environmental-protection-measures-for-pebble-mine-project-in-alaska-official-says-11598124741>

Wall Street Journal - New York, NY - 8.22.20

Local:

* Miami-Dade wants mangroves and islands as storm protection instead of 10-foot wall

<https://www.miamiherald.com/news/local/environment/article245085975.html>

Miami Herald - Miami, FL - 8.21.20

* Katrina's 15th anniversary brings a pair of books that look back through different lenses

https://www.nola.com/entertainment_life/books/article_b3a9569e-e252-11ea-a72e-67f4df34af09.html

Times-Picayune - New Orleans, LA - 8.23.20

* Hundreds of comments on Charleston sea wall plan show most people want more detail

https://www.postandcourier.com/news/hundreds-of-comments-on-charleston-sea-wall-plan-show-most-people-want-more-detail/article_5e8c082a-de31-11ea-9f98-d3c71d47f708.html

Post & Courier - Charleston, SC - 8.23.20

Other:

* US Army buys two new supercomputers to meet data analytics demand

<https://www.c4isrnet.com/cyber/2020/08/21/us-army-buys-two-new-supercomputers-to-meet-data-analytics-demand/>

C4ISRnet - Washington, DC - 8.22.20

*****FULL ARTICLES*****

Border Wall Construction Set To Begin Near Historic Cemeteries In South Texas

<https://theintercept.com/2020/08/23/border-wall-construction-historic-cemeteries-texas/>

The Intercept - New York, NY - 8.23.20

South Pacific Border District - South Pacific Division

By Melissa del Bosque

THE TRUMP ADMINISTRATION has broken ground on the construction of an 18-foot steel and concrete border wall next to the oldest Protestant church in South Texas and two historic cemeteries, which are part of an important yet little-known chapter in the history of slavery and the Underground Railroad.

Congress exempted the Eli Jackson Cemetery and the Jackson Ranch Church and Cemetery from border wall construction in the 2020 appropriations bill, but the administration has chosen to go ahead with building the wall there anyway, skirting congressional intent and “not following the spirit of the law,” according to U.S. Rep. Henry Cuellar, D-Laredo, who authored the language protecting the sites.

The church and cemeteries are part of a ranching settlement founded in 1857 by Nathaniel Jackson, a white

plantation owner, and Matilda Hicks, a former slave, along with the couple's adult children, their relatives, and 11 freed slaves. The Jacksons provided refuge to escaped slaves in the small town of Pharr, near McAllen, Texas, and helped ferry them across the river to freedom in Mexico, where slavery had been abolished.

For the past three years, Sylvia Ramírez, a Jackson family descendant, and her brother Dr. Ramiro Ramírez, as well as relatives of other families buried in the two cemeteries, have been lobbying members of Congress to save the sites, which are registered with the Texas Historical Commission. In March 2019, the Ramírez family joined with other border residents and advocates in a lawsuit against the administration to stop wall construction from disturbing or destroying the cemeteries.

"We filed the lawsuit, and then we got the good news about the exemption," said Ramírez. "And we were hoping that that meant the property would not be touched."

Still, Ramírez said that she and others kept a close eye on the cemeteries and church, watching for any signs of construction starting in the area. "We've been observant and vigilant," she said. "Because the government doesn't tell us anything."

In the last two weeks, she said, their worst fears came true, when a family member noticed heavy machinery staged near the cemeteries and large swaths of land nearby that had been bulldozed and cleared. Alarmed, Ramírez asked their lawyer, Sarah Burt, an attorney for Earthjustice, to contact the government.

Burt said she received an email reply on Monday, August 17, from the Justice Department saying that construction would begin "in the next two weeks."

The Justice Department wrote that the wall wouldn't pass through either cemetery, Burt said, but would be built on a levee that abuts the two cemeteries and on land being acquired from private owners. According to the email, the government had "nearly completed the land acquisition process."

Despite these assurances, Burt said the government has not shared a finalized plan or spoken to the Ramírez family and other landowners about how the wall will impact the cemeteries, the church, and several homes nearby. Of greatest concern is a 150-foot enforcement zone that runs alongside the wall, which consists of an all-weather road, light towers, cameras, and other technology. The Eli Jackson Cemetery backs up against the levee, while the Jackson Ranch Church and Cemetery is about 100 feet away.

Sylvia Ramírez said she reached out to a U.S. Customs and Border Protection liaison about the enforcement zone and he told her that the government was considering a reduced enforcement zone in the area of the cemeteries. But Ramírez said she hasn't seen anything official. And she's worried about the digging and heavy machinery around old burial sites, many of which, due to their age, have no headstone or marker. "It's horrifying to think of," she said. "And for whatever reason, they're just not willing to share information with us." CBP did not respond to requests for comment from The Intercept.

On Tuesday, before a campaign rally in Yuma, Arizona, Trump received an update on the border wall. Flanked by the Army Corps of Engineers and CBP, he touted his construction of nearly 300 miles along the southern border. "You know, you don't hear about the wall anymore because we won," Trump said. "When you win — if you're us — you never hear about it again. And we have page after page of achievement that you never hear of anymore."

At the event, Lt. Gen. Todd Semonite of the Army Corps of Engineers claimed the administration was currently building at a pace of "over 10 miles a week; over 2 miles a day."

Trump vetoed a bipartisan agreement for \$1.375 billion to fund 55 miles of new wall in February 2019, then declared a national emergency, requiring the Department of Defense to reallocate \$6.1 billion in funds to the wall's construction, and the Treasury Forfeiture Fund to provide up to \$600 million.

"Three hundred ... are already in right now, basically," said Semonite during the event in Yuma. "There's another 300 that are being built right now in every — all along places across these four states. Forty-nine different projects are all going in the ground. And then the last 133 are in design and acquisition. We're writing the contracts; we're designing it."

Trump is in a hurry, Cuellar said, because with the exception of 5 miles, all of the wall Trump has built has either replaced or reinforced border fences constructed under Bush and Obama.

With the election looming, the Trump administration has escalated its construction timeline, Cuellar said, in many cases granting lucrative contracts to construction companies without having rights to the land on which the wall will be built, and abusing the Real ID Act to waive environmental assessments and other federal requirements to speed up construction.

“They’re trying to meet the president’s goals of building new miles,” Cuellar said. “And trying to obligate the next administration by entering into these contracts now. You can see what they’re doing. In my hometown of Laredo, they don’t own the land. They haven’t condemned the land, but they have already awarded the contracts.”

Because of a binational treaty with Mexico that prevents building any type of structure in the Rio Grande floodplain that would push floodwaters into either country, much of Trump’s new construction can only happen north of the Rio Grande levee, which is up to a mile from the actual river in Texas. This means that the wall’s construction not only directly impacts homes and businesses, but also nature preserves and important cultural and heritage sites like the Eli Jackson Cemetery and the Jackson Ranch Church and Cemetery.

In January 2019, during the longest government shutdown in U.S. history spurred by Trump’s demand for \$5.7 billion to build the border wall, Cuellar was appointed to help negotiate a bipartisan solution. Cuellar, who is vice chair of the House Appropriations Subcommittee on Homeland Security, said he fought to exempt five important environmental and historical sites in the path of the wall, including La Lomita, a 19th-century Catholic chapel, and the Rio Grande Valley-Bentsen State Park. “Literally, the last thing that got negotiated on that agreement was my language,” he said. “I was getting calls from the chief of staff at the White House and from the secretary of homeland security saying, ‘Hey, you’re holding up the process.’”

There was a lot of pressure to let the exemptions go, he said, even from some Democrats, who did not represent border communities. “I said no, we gotta have this language to protect these areas.”

In the next appropriations bill, Cuellar said, he added “historic cemeteries” to the list. He wanted the exemption language to apply to “within one mile” of the exempted sites, but he could not get Republicans to agree to it. “That would have solved a lot of our problems today,” he said.

What the Trump administration is doing now, Cuellar said, is technically following the letter of the law, “but not the spirit of my intent.” They are not building “within” but “next to and around the sites,” he said, which are “sensitive and controversial” for border communities. “Don’t build it a foot away, you know, even though you’re abiding by the law. I call it poking the bear in the eye.”

With the Real ID Act waivers, lack of notification to landowners, and secret contracts, Cuellar said, it’s difficult for anyone — even himself — to understand what’s happening with the current border wall construction. “I’m the vice chair of Homeland Security Appropriations and I have requested the contracts many times and never seen them,” he said.

Sylvia Ramírez said she and her family members are examining their legal options to stop the construction. Even if the wall doesn’t touch the cemeteries, they will still be on the south side of the barrier and cut off from the rest of the United States, where flooding could be exacerbated by the construction. They have not been told how they will be able to access the church and cemeteries after the wall is completed. “We’re not happy that we’re on the south side of it,” she said. “It’s not acceptable to me, and it never will be.”

Residents flee as Gulf Coast sees possible tandem hurricanes

<https://apnews.com/76f2a9d689d179879fd6dd39ea997165>

Associated Press - New York, NY - 8.24.20

By REBECCA SANTANA, JEFF MARTIN and SETH BORENSTEIN

NEW ORLEANS (AP) — The Gulf Coast braced Sunday for a potentially devastating hit from twin hurricanes as two dangerous storms swirled toward the U.S. from the Gulf of Mexico and the Caribbean. Officials feared a history-making onslaught of life-threatening winds and flooding along the coast, stretching from Texas to Alabama.

A storm dubbed Marco grew into a hurricane Sunday as it churned up the Gulf of Mexico toward Louisiana. But, Marco's intensity was fluctuating, forecasters said, and the system was downgraded to a tropical storm Sunday night.

Another potential hurricane, Tropical Storm Laura, lashed the Dominican Republic and Haiti, and was tracking toward the same region of the U.S. coast, carrying the risk of growing into a far more powerful storm.

Experts said computer models show Laura could make landfall with winds exceeding 110 mph (177 kph), and rain bands from both storms could bring a combined total of 2 feet (0.6 meters) of rain to parts of Louisiana and several feet of potentially deadly storm surge.

"There has never been anything we've seen like this before, where you can have possibly two hurricanes hitting within miles of each over a 48-hour period," said Benjamin Schott, meteorologist in charge of the National Weather Service's Slidell, Louisiana, office.

The combination of the rain and storm surge in a day or two means "you're looking at a potential for a major flood event that lasts for some time," said weather service tropical program coordinator Joel Cline. "And that's not even talking about the wind."

Where precisely Marco was headed — and when the storm might arrive — remained elusive Sunday.

President Donald Trump approved Louisiana's request for federal help related to the pair of storms, Louisiana Gov. John Bel Edwards said in a news release Sunday.

He had submitted the request to Trump and the Federal Emergency Management Agency on Saturday.

Trump also approved an emergency declaration for Mississippi, according to a White House news release late Sunday.

Marco was initially expected to make landfall Monday, but the National Hurricane Center said that "a major shift" in a majority of their computer models now show the storm stalling off the Louisiana coast for a few days before landing west of New Orleans — and likely weakening before hitting the state. However, skeptical meteorologists at the center were waiting to see if the trends continue before making a dramatic revision in their forecast.

Marco is a small storm that may be pushed westward along the Louisiana coast, delaying landfall but worsening storm surge, Cline said.

The prospect of piggybacked hurricanes was reviving all-too-fresh memories of damage caused by Hurricane Katrina, which struck the Gulf Coast on Aug. 29, 2005. The storm has been blamed for as many as 1,800 deaths and levee breaches in New Orleans led to catastrophic flooding.

"What we know is there's going to be storm surge from Marco, we know that that water is not going to recede hardly at all before Laura hits, and so we've not seen this before and that's why people need to be paying particular attention," Edwards warned at a Sunday briefing.

Along the main drag on the barrier island of Grand Isle, south of New Orleans, Starfish Restaurant manager Nicole Fantiny could see an exodus of people driving off the island.

"They are all packing up and leaving," she said.

Fantiny wasn't planning to leave, at least for Marco, but she was anxious about the possible one-two punch from both storms. Her husband works with the town's fire and police departments, so she said they are always among the last ones to leave.

“My house was built in 1938 so I think we’re good,” she said hopefully.

Marco had been expected to dance above and below hurricane status after hitting the 75 mph-wind mark Sunday afternoon.

“The central Gulf could be really under the gun between Marco and Laura in back-to-back succession,” said Colorado State University hurricane researcher Phil Klotzbach. “Certainly both of these storms can impact New Orleans significantly. It just remains to be seen if the track for Laura tracks a bit to the west.”

University of Miami hurricane researcher Brian McNoldy warned that anyone in New Orleans should be alarmed by the threat. At issue from possible dual hits: whether the levee system can withstand the stress, he said.

In New Orleans, the city’s aging drainage system has been a particular point of concern in recent years after an intense 2017 storm flooded streets and raised questions about the system’s viability.

Because the city is surrounded by levees and parts are below sea level, rainwater must be pumped out to prevent flooding. Any storm system that sits over the city and dumps rain for extended periods of time, or bands of rain that come in rapid succession, is a cause for concern.

New Orleans resident Matthew Meloy and two friends loaded a van with cases of bottled water in the parking lot of a New Orleans Walmart Sunday. He said they still have a lot of storm preparations ahead.

“Check the batteries, flashlights, stocking up on food and trying to park the car on the highest point possible we can find,” he said. “I already spent like 40 minutes this morning filling up the tanks in the cars.”

Tourists were strolling through the New Orleans French Quarter under overcast skies as workers boarded up shop windows. Louisiana corrections officials were evacuating 500 inmates from a jail in Plaquemines Parish, near the coast, to another facility in preparation for the storms.

In Kenner, just outside New Orleans, resident P.J. Hahn said checkout lines in a Sam’s Club reached to the back of the store, while authorities said 114 oil and gas producing platforms in the Gulf have been evacuated as the storms churn toward the Louisiana coast.

Because of strong winds from the southwest, Marco may attain and then lose hurricane status before it hits land, meteorologists said. But those winds could be gone when Laura ventures to the central Gulf, where the usually bathtub-warm water is a degree or 2 (0.5 to 1 degree Celsius) warmer than normal, Klotzbach said.

The warmer the water, the stronger the fuel for a hurricane.

“It, unfortunately, might peak in intensity about landfall. That’s the one thing I worry about with this one,” MIT meteorology professor Kerry Emanuel said of Laura. His multiple computer simulations show a decent chance of winds of more than 110 mph (177 kph) for Laura at landfall, as do other computer models.

The key for Laura’s future is how it survives Cuba. Originally forecast to rake over almost the entire length of the island and potentially weaken, the storm late Sunday moved further south, skirting the island. If that continues, it is more likely to come out strong enough to power up over the favorable environment of the Gulf of Mexico, Klotzbach said.

If that continues, Laura could hit further west in the Gulf, possibly into Texas instead of Louisiana, he said. If it hits Louisiana that would break the record for two named storms hitting the state so close together. The current record is five days apart in 1885, Klotzbach said.

And there’s one long-term possibility that adds to the risk. As Laura moves north after landfall into Oklahoma, there’s a chance it will be caught up into the jet stream, travel east and emerge over North Carolina and return to tropical storm status, McNoldy and Klotzbach said.

By Sunday night, Laura was 125 miles (200 kilometers) southeast of Camaguey, Cuba, with 60 mph (95 kph) winds moving west-northwest at 21 mph (33 kph). Marco was 185 miles (295 kilometers) south-southeast of the mouth of the Mississippi River, with 70 mph (110 kph) winds, moving north-northwest at 12 mph (19 kph).

In Empire, Louisiana, about 50 miles (80 kilometers) south of New Orleans near the mouth of the Mississippi River, shrimp, oyster and fishing boats line the docks. It was eerily quiet Sunday evening, as most fishermen had already secured their boats. Mike Bartholemey was putting extra blocks of wood under his recently dry docked 50-foot (15-meter) shrimp boat "Big Mike," out of his concern that hurricane winds might topple his boat to the ground.

In Venice, a fishing town on the Mississippi River, shrimper Acy Cooper was up early Sunday to move his three shrimp boats from the harbor into the bayous nearby to ride out the storm. It's the same area where he moored his boat during Hurricane Katrina.

The boat survived; his house in Venice did not.

Trump set to block controversial Alaska gold mine

<https://www.politico.com/news/2020/08/22/trump-set-to-block-alaska-pebble-mine-400206>

Politico - Washington, DC - 8.22.20

Alaska District - Pacific Ocean Division

By ZACK COLMAN and ALEX GUILLÉN

The Trump administration is planning to block the proposed Pebble Mine in Alaska early next week, six people familiar with the plans told POLITICO, marking a surprise reversal that could be the death knell for the massive copper and gold project.

Environmentalists and conservation groups have warned that the project would threaten world's largest sockeye salmon fishery, and the move to block it comes after President Donald Trump faced pressure to nix it from an array of interests, including GOP mega-donor Andy Sabin, Bass Pro Shops CEO Johnny Morris and the his eldest son, Donald Trump, Jr.

"With any government, whether it be Obama or Trump, nothing is certain until it happens and that's just the nature of this beast," Sabin, who has spoken directly with Trump about the proposed mine, told POLITICO. "But I'm fairly certain that you're going to get good news."

The Army Corps of Engineers office in Alaska is planning to hold a conference call on Monday with groups connected to the proposed mine discuss the decision, three people with knowledge of the call told POLITICO. An administration official confirmed the call with POLITICO.

Corps officials will say outstanding technical issues with a key permit remain, the people said, adding they anticipate Trump will then follow with a public statement opposing the project. The people said they're not entirely sure what form Trump's disavowal will take, although they said it is more likely to come as a rejection of the Army Corps of Pebble's water permits rather than a veto from EPA, which earlier this year indicated it would not exercise that power.

"There are people that have been told there will be a [Corps] press event and that it will be positive," said a Washington-based person who works on efforts opposing the mine and who requested anonymity to discuss sensitive conversations.

White House spokesman Judd Deere directed POLITICO to the Army Corps.

"The White House is not in a position to comment at this time," he said in an email. Neither the Army Corps nor EPA immediately responded to requests for comment.

But Pebble Partnership CEO Tom Collier, who worked as chief of staff for Clinton-era Interior Secretary Bruce Babbitt, denied that the project was about to be blocked.

"We've worked with the Trump administration and the message that we have received from the Trump administration has been that this is a president who believes that there's no place in the permitting process for political influence," Collier said.

"I do not believe he will be returning to Obama-like interference in the permitting process. We have those assurances that he will not do so," he added.

In a statement issued Saturday evening, Collier again disputed this story and said Pebble was told earlier in the week to expect a letter on Monday calling for "a significant amount" of compensatory mitigation, in which Pebble promises to restore or preserve other nearby wetlands to make up for those affected by the mine, a standard step in the Army Corps' permitting process.

"This has been our working premise for quite some time and has been the focus of our recent efforts near the site to complete additional wetlands survey work to better inform our plan," Collier said in the statement. He added that the time needed to develop a plan might delay a decision beyond what was previously expected, but that the company will provide the Corps with any needed information "as soon as possible" with the goal of remaining on track.

The Pebble Mine has been planned to be built in the headwaters for Bristol Bay, home of the world's biggest sockeye fishery which provides up to 11 percent of all wild salmon harvests.

"I have been there more than 10 times. It is like no place on Earth," Trout Unlimited CEO Chris Wood told POLITICO.

The about-face by the administration likely signals more about issues with this specific mine than a sea change in Trump's overall support for big development projects. But with Trump expected to let it die and his White House challenger Democrat Joe Biden opposed to the project, Pebble Mine appears to have few options to advance it despite more than a decade of planning, ownership changes and political fights.

At the end of July, Trump's administration appeared to be on track to approve the project as early as this month over the protests of environmentalists and Alaskan Native groups opposed to the 8,400-acre open pit mine.

Then in early August, Trump signed the Great American Outdoors Act, which secured almost \$1 billion a year for conservation work. "There hasn't been anything like this since Teddy Roosevelt, I suspect," Trump said. Later that day, Trump's son Donald Jr. publicly raised the issue of the controversial mine project, tweeting along with Nick Ayers, former chief of staff to Vice President Mike Pence, to urge Trump to reject Pebble.

The duo cited outdoors recreation groups' concerns that it threatens the Bristol Bay salmon fishery, which is commercially important and an increasingly popular destination for adventurous anglers.

Joining the hook-and-bullet crowd's influence campaign was Fox News host Tucker Carlson, one of the president's favorite TV personalities who elevated the matter in an Aug. 14 segment called "The Case Against Alaska's Pebble Mine." Carlson and his guest, Bass Pro Shops founder Morris, invoked Theodore Roosevelt, who Trump had just called "truly the great conservation President" — and who he's suggested he should join on Mount Rushmore.

Trump has been unabashedly pro-mining, though that has been largely focused on coal mining; Pebble would mine a large deposit of copper, gold, molybdenum and silver ore, so it has no direct connection to the issue of climate change.

"Maybe not all environmentalism is about climate," Carlson said on his show.

Long-held skepticism about the mine from many Alaskans should also provide Trump some political cover. The late Republican Sen. Ted Stevens in 2008 famously called it "the wrong mine for the wrong place." And while she has yet to ultimately take a side, Senate Energy and Natural Resources Chair Lisa Murkowski (R-Alaska) in 2019 questioned Pebble's environmental impacts.

Shortly after the Trump administration took office, it settled a lawsuit with the mine's developer that included

withdrawing the Obama-era proposal to preemptively veto the mine. Instead, the mine would be allowed to continue through the permitting process at the Army Corps of Engineers.

As a consulting agency, EPA last year was critical of the Corps' environmental study, warning of "substantial and unacceptable adverse impacts" on the fisheries. But EPA in May indicated it was backing off those criticisms and would not use its Clean Water Act power to veto the project's permits.

EPA's criticisms were based on unique characteristics that ultimately managed to bring environmentalists and Trump to the same side.

The mine, being developed by a U.S. subsidiary of the Canadian company Northern Dynasty Minerals, was proposed to tap a huge reserve on state land a few miles north of Iliamna Lake. The mine plan calls for producing an average of 70 million tons of copper, gold and molybdenum ore annually over 20 years, amounts worth potentially hundreds of billions of dollars. The mine's opponents argue the company would eventually push to expand the mine to extract even more of the deposit.

The Corps determined in July that Pebble Mine "would not be expected to have a measurable effect on fish numbers and result in long-term changes to the health of the commercial fisheries in Bristol Bay."

But the commercial fishing industry, recreation groups, environmentalists and local Native Alaskan groups have all long complained about the destruction of streams critical to salmon's procreation and the danger of mining waste contaminating the bay.

Army Corps to Ask for More Environmental-Protection Measures for Pebble Mine Project in Alaska, Official Says
<https://www.wsj.com/articles/army-corps-to-ask-for-more-environmental-protection-measures-for-pebble-mine-project-in-alaska-official-says-11598124741>

Wall Street Journal - New York, NY - 8.22.20
Alaska District - Pacific Ocean Division

By Timothy Puko

The U.S. Army Corps of Engineers is poised to insist on additional mitigation measures at the Pebble Mine development in Alaska before allowing the project to proceed, according to a senior Trump administration official.

The Army Corps plans to issue a letter Monday saying the mine would cause "significant degradation" and that its developers will need to take additional steps to protect the Bristol Bay area where the mine is located, the administration official said. Salmon fishing is a major economic driver in the region.

The determination is one of the most severe demands the Army Corps can make, said Tom Collier, chief executive of the project owner, Pebble Limited Partnership, who said government officials have briefed him on the letter. It will require the project, which is more than half the size of Manhattan, to find an area to mitigate that is as large as the project itself and in the same watershed, Mr. Collier said.

Mr. Collier said his team is working on a new mitigation proposal he expects to be finished within a few weeks and lead to a resolution with the Corps before Election Day.

Corps officials couldn't immediately be reached for comment. Politico earlier reported that the Trump administration is planning to block the project. The White House declined to comment.

The Corps is taking this stance after two years of steady support from the Trump administration, and with the project at the final step before it gets federal permits it has been seeking for most of the past decade. Just last month the Corps' final environmental assessment concluded the project posed no serious risk.

Since the Corps' environmental statement came out, however, some of President Trump's most prominent supporters have mounted a last-minute push for the president to intervene personally and reject approvals for Pebble Mine.

The president's eldest son, Donald Trump Jr., joined former top White House aide Nick Ayers in tweeting at the president asking him to block it. And Tucker Carlson, a host on Fox News, which the president regularly watches, aired a segment Aug. 14 questioning the project.

"As a sportsman who has spent plenty of time in the area I agree 100%," Mr. Trump Jr. said in his tweet. "The headwaters of Bristol Bay and the surrounding fishery are too unique and fragile to take any chances with."

The Washington Post reported last week that officials may delay Pebble's approvals because of that opposition campaign, which it said also included an in-person appeal from Mr. Trump's son and a major political donor at an early-August fundraiser.

At stake are gold, copper and other deposits previously estimated at \$300 billion to \$500 billion in value. But the reserves sit under a remote wilderness and a labyrinth of streams, rivers and marshes that feed Bristol Bay in the Bering Sea. Its fisheries produce half of the world's wild sockeye salmon, a draw for tourists and anglers and sustenance for Native Alaskan communities.

The project's owner, a subsidiary of Vancouver-based Northern Dynasty Minerals Ltd., has long faced widespread opposition from all kinds of environmental groups; sportsmen have taken an especially prominent role in recent weeks. Trout Unlimited has helped marshal opposition from prominent Republicans, and the Theodore Roosevelt Conservation Partnership has been airing commercials on Fox News.

The recent pushback caught company leaders by surprise, and they have been planning to counter with their own ads on Fox News. The spots will point out that former President Obama and Joe Biden, Mr. Obama's vice president and the Democratic Party's presidential nominee for the coming election, both opposed the mine.

"To take a shot at the project because you like to go someplace and fish...it's just absurd," Mr. Collier, the Pebble executive, said Friday in an interview with The Wall Street Journal. "I do not see President Trump returning to Obama-like political influence in permitting. That's what discourages economic development in America."

The company, which has no other significant assets, also needs a larger partner, if not several, to help develop Pebble Mine, Mr. Collier said. He said that those talks are ongoing and that he is optimistic, but he said Pebble will only be able to attract a mining partner once Pebble receives approval for a federal permit. Without approval, his team may have to sue or redesign part of the project, he said.

Recent polling from opposition groups suggests that changes the developers made to reduce the mine's risk haven't eased concerns. Likely voters statewide oppose the project by a 2-1 margin, according to polling from June commissioned by a coalition of local and national opponents. Nearly half the 500 people had a "very unfavorable" view of the project.

One of the groups that conducted the poll is the United Tribes of Bristol Bay, which represents more than 80% of the region's population. Fifteen federally recognized tribes in the region formed the coalition to fight mining developments like this, a fight that goes back more than 30 years, said Alannah Hurley, the group's executive director.

Even a smaller mine is likely to transform the region, bringing roads, power plants and other industrial development, she added. And the tribes fear it will open the door to more mines on other deposits in the area, and further expansion of Pebble itself.

"It's a camel's nose into the tent," Ms. Hurley said Friday. "It would transform Bristol Bay from salmon country into a toxic mining district."

If Pebble Mine gets federal approval, it still needs 60 more state permits to proceed. That would likely mean another two to three years before construction begins, Mr. Collier said.

Miami-Dade wants mangroves and islands as storm protection instead of 10-foot wall

<https://www.miamiherald.com/news/local/environment/article245085975.html>

Miami Herald - Miami, FL - 8.21.20

Jacksonville District - South Atlantic Division

By Alex Harris

The federal government plan to protect Miami-Dade from future storms hinges on a tall, gray wall between the city and Biscayne Bay, but residents have their own vision for how best to keep the water from drowning the Magic City. And it's much greener.

Wednesday was the deadline for public comment on the Army Corps of Engineers' proposed plan to build walls and pumps, elevate homes and install flood gates on the mouths of rivers to keep the coastal county safe from storm surge driven by powerful hurricanes. The projected cost is \$4.6 billion.

Residents, businesses and governments all shared their thoughts with the Corps, and they pretty much all had two things in common: nobody wants an up to 20-foot high wall along Biscayne Boulevard, and everyone wants more coral reefs, mangroves and living shorelines instead.

Critics say the miles of walls — some of which would go directly through Biscayne Bay — will create “winners and losers” by dividing up neighborhoods, potentially worsen flooding and block views and access to the bay.

The Downtown Development Authority made its opinion on the walls crystal clear by attaching renderings of the proposed wall in downtown Miami along with renderings of alternate proposals featuring more nature-based solutions. The ones picturing the walls feature graffiti and trash floating in brown, stagnant water. The ones with man-made islands and walking paths protected by coastal mangroves are lush and vibrant with clear, blue water.

“Nobody wants to see the Berlin wall in the middle of Biscayne Bay,” said Miami City Commissioner Manolo Reyes, chair of the DDA.

Reyes, who called the wall concept “horrendous, ill-conceived and simplistic,” said it would decrease property values in downtown and Brickell and discourage potential investors and businesses from choosing Miami.

Neal Schafers, transportation, planning and resiliency head for the DDA, noted that building the wall would cut off all boat and water access for miles, as well as gut the DDA’s signature project, an interconnected pedestrian pathway called the Baywalk.

“It will wreck what we’ve built up in the last 30 years,” he said. “Not to mention what it will do to the marine environment.”

In a letter outlining its comments, the DDA asked the Corps to consider using man-made islands and mangrove shorelines to cut down on the power of hurricane-strengthened waves that would otherwise smack Miami. It also suggested the Corps rely more heavily on buying out properties and turning the lots into parks to increase property value, but not in the condo-heavy downtown area.

“That was much more meant for single-family homes. It wouldn’t necessarily be a comparable solution for downtown,” Schafers said.

Miami-Dade County, the main sponsor of the project, submitted 264 specific comments covering everything from spelling errors to its concern that the \$3 million study undertaken by the Corps did not take into account the most influential force in South Florida flood control, the network of canals and pumps run by the South Florida Water Management District.

The comments repeatedly question whether Corps researchers appropriately modeled or even understood the impact that the proposed walls, flood gates and pumps would have on flooding throughout the county. It also comes back to one of the central criticisms of the plan, that it is specifically designed to address only storm surge, not sea level rise-induced flooding or anything else.

“The County shares the South Florida Water Management District’s concerns that the analysis conducted does not

account for inland drainage implications and future extreme rainfall,” Miami-Dade wrote in a letter to the Corps.

The comments also noted that the Corps study does not grapple with the fact that building miles of walls that are meant to be sealed shut days before a storm would complicate evacuation and response efforts. Miami-Dade clarified that if the Corps does need to buy up property to build the walls, it does not support the use of mandatory buyouts using eminent domain.

Instead of walls, the county echoed the DDA in asking the Corps to consider more nature-based solutions beyond the limited mangrove replanting suggested near Cutler Bay, particularly restoring the nearshore coral reef and installing more living shorelines.

The county also wants to see more “critical infrastructure,” like fire stations and wastewater treatment plants, selected for floodproofing than the Corps listed. Miami-Dade wants the expanded list to include all city halls, hospitals, fire stations, parks, cruise terminals, wastewater pump stations and wastewater treatment plants, like the vulnerable one on Virginia Key.

Other major critiques of the plan came from environmental groups like the Everglades Coalition, which also requested more nature-based protections. In its comments, the coalition asked that the Corps take all the simultaneous plans to protect Miami-Dade from future storms and flooding into account when coming up with solutions, particularly the Comprehensive Everglades Restoration Plan.

The Coalition also warned that the Corps should be careful not to “exacerbate inequality” by elevating, floodproofing and protecting more properties in rich neighborhoods than lower-income ones.

“We are concerned that high-value properties are more likely to benefit from protection features, leaving under-resourced communities without crucial storm risk assistance. This disparity is shown by the proposal to elevate 184 private residences in Golden Beach, where the average home value exceeds \$4 million. This is not an equitable investment, given that roughly 19 percent of Miami-Dade’s population live in poverty,” the group wrote in its comments.

The Corps has closed public comment on the draft plan, which it released in June. The final version of the report is set to be released in October 2021. The Corps can also work with the county to come up with a “locally preferred plan” that incorporates the community’s suggestions. Any deviations from what the Corps recommends in its final plan would be paid for entirely by Miami-Dade, instead of the 65 percent cost-share the Corps carries for ideas it suggests.

From there, Congress has to fund the projects. On the fastest possible timeline, that would mean project design and engineering wouldn’t begin until 2023 and construction wouldn’t kick off until 2026.

Katrina's 15th anniversary brings a pair of books that look back through different lenses

https://www.nola.com/entertainment_life/books/article_b3a9569e-e252-11ea-a72e-67f4df34af09.html

Times-Picayune - New Orleans, LA - 8.23.20

New Orleans District - Mississippi Valley Division

BY LESLIE CARDÉ

When Lt. General Carl Strock, chief engineer of the U.S. Army Corps of Engineers, accepted responsibility on behalf of the Corps in 2006 for the levee failures that caused catastrophic flooding in New Orleans after Hurricane Katrina, it came as no surprise to many who suspected the disaster was man-made.

With 2020’s 15th anniversary of the hurricane and flooding, two new books explore the disaster from different perspectives. Sandy Rosenthal, author of “Words Whispered in Water” and founder of the citizens group levees.org, chronicles her yearslong mission to unearth a fabric of falsehoods she claims the Corps perpetrated — demonstrating that one person chipping away at questionable explanations can change the national narrative.

The former copywriter, who evacuated New Orleans before Katrina hit, was far from the devastation, in Lafayette,

when the storm plowed through.

"Two weeks afterward, I learned my house had survived due to the fact that I live on the 'sliver along the river,' above sea level," Rosenthal said. "That meant I didn't have to deal with insurance companies or contractors, and could really study the issue."

When the federal General Accountability Office released its report one month after the storm, stating that the Corps designs and builds levees but that locals maintain them, it incensed the city's residents, including Rosenthal — who was told she shouldn't have been living here.

What happened to the levees?

One local scientist believed the city was being blamed for levees built by the Corps that were never capable of withstanding even a moderate hurricane.

Ivor van Heerden, now a semiretired coastal scientist, but then LSU's deputy director of its Hurricane Center, was on the case from the get-go.

"I went to Gov. (Kathleen) Babineaux Blanco's office and told her that there was no way these levees could have overtopped. I explained that we had computer models that took into account storm surges and that these levees must have collapsed," said van Heerden, who holds a doctorate in marine sciences.

Armed later with boat footage he took on Lake Pontchartrain and at the three major drainage canals, he showed 28 breaches where soil had eroded from underneath. It was the beginning of a levee investigation that would ultimately lay the blame at the feet of the Corps.

But challenging the Corps was considered risky. In her book, Rosenthal discusses various civil engineers who she said were told to keep silent. Among them was engineer Gordon Boutwell Jr., the late president of Soil Testing Engineers in Baton Rouge.

A 100-year-old problem

"He told me that the Corps came to him and said that if he continued to criticize their work, his firm would be hurt," Rosenthal said. "He decided to stay silent but told me that when he was gone, I could publish what he had encountered."

"In 2008, he died of cancer, and I then told his story publicly."

But, Rosenthal says, the list of engineers who were silenced is long. She claims some have been fired or blackballed from their profession. The Corps, when contacted, said it knew nothing of these practices.

LSU fired van Heerden in 2009, after he pounced on the levees' catastrophic structural failure. LSU said he was bringing bad press to the university, threatening state funding. Van Heerden sued, accusing the university of limiting his freedom of speech. LSU settled for \$450,000.

In Andy Horowitz's new book, "Katrina: A History, 1915-2015," he traces the origin of the problems that now confront New Orleans to decisions 100 years ago, when the city, emboldened by surviving a 1915 hurricane, decided to expand away from the river and essentially away from the safety of higher ground.

Those in charge assumed their state-of-the-art drainage system had saved the city, but in 1915, there was no one living in the "bottom of the bowl" — now heavily populated areas that saw massive flooding during Katrina.

"Those who don't live here think that only the poor neighborhoods flooded," Horowitz said. "That's because of the images which were broadcast nightly showing the high water in the 9th Ward, but the truth is that Lakeview was wiped out, too."

Who came back?

However, he said, in the long run, there was truth to the supposition that poor neighborhoods bore the brunt of the flooding.

Fifteen years later, the more affluent Lakeview has come back. But the population of much of the 9th Ward, predominantly lower middle class and Black, is only a fraction of what it was before the flood. He describes the way that the Road Home program, designed to compensate people for their property losses, assessed homes at pre-flood market values rather than replacement costs, giving far less money for reconstruction to poor communities.

The two Katrina books are very different. Horowitz looks at how the dissolution of public schools, the unabated dredging of south Louisiana by oil companies, the uneven distribution of profits from natural resources, and even the manner in which the Corps does cost-benefit analyses of projects have all changed the landscape of the city.

Rosenthal's "Words Whispered in Water" brings together a cacophony of voices who will no longer tolerate the status quo, not just here, but with levee problems all around the country.

One fact that authors Rosenthal and Horowitz, and scientist van Heerden, agree upon is that with rising sea levels and eroding wetlands, the city's problems are far from over.

Speaking on behalf of the Corps, spokesperson Ricky Boyett said the agency continues to shore up those levees that do not yet meet the 100-year flood standard, but he cautions there is no perfect protection system.

"There will always be a bigger storm than the system is designed to defend against. It's not designed to protect lives; it's designed to protect infrastructure and property, so it's critical that when people are told to evacuate, they get out."

Both new books are available in bookstores.

Hundreds of comments on Charleston sea wall plan show most people want more detail

https://www.postandcourier.com/news/hundreds-of-comments-on-charleston-sea-wall-plan-show-most-people-want-more-detail/article_5e8c082a-de31-11ea-9f98-d3c71d47f708.html

Post and Courier - Charleston, SC - 8.23.20

Charleston District - South Atlantic Division

By Chloe Johnson

More than 400 comments flooded in on the federal government's proposal to build an 8-mile-long sea wall around the Charleston peninsula.

The response from most who wrote in: We want more details.

The comments, provided to The Post and Courier through a Freedom of Information Act request, came from federal agencies, land developers, state officials, environmental groups, historic preservation groups and local homeowners living both inside and outside of the proposed wall.

A large number of respondents asked for more time for public comment, and some questioned whether there needs to be a deeper environmental review before proceeding.

While the wall may help the city with sea level rise and some extreme tidal flooding, that's not the goal of the Army Corps of Engineers study. The yet-to-be-designed barrier is only aimed at shielding the Charleston peninsula against storm surge, the potentially devastating crush of water pushed onto land by a hurricane.

The wall proposal was unveiled by the Corps of Engineers in April with an estimated price tag of \$1.75 billion.

It also includes pump stations to drain some rainfall from inside the wall, a line of rocks in the harbor to break waves south of Charleston's existing Battery sea wall, and additional measures to protect, or even remove, some structures outside the wall.

Its height would be about 8 feet above the point where the city starts to flood, though the wall would be different

lengths based on ground elevation.

A small group said the wall was a fool's errand, that it was unwise to try to hold back Mother Nature. But a different handful of local residents urged building the wall as quickly as possible to stem rising tides. One downtown resident wrote, "Now is the time to be decisive. Let's act now before it is too late."

But the majority of respondents had multiple hanging questions: What will the wall look like? Will it push water into surrounding neighborhoods? Will vibrations from construction damage nearby buildings?

In all three cases, the Corps does not yet have answers.

Spokeswoman Jackie Pennoyer said an analysis on water displacement is coming in the next six months. Questions about the look of the wall and construction effects would not be answered until after the city commits to paying part of the cost.

Congress must also approve federal funding for the design phase, which is not a sure thing.

Among the most detailed and critical assessments in the public comment period, which closed June 19, came from Ron Burkhard, a retired Corps engineer who specialized in value engineering, or designing a project with the most benefit for the least cost. His experience includes working on more than 700 Corps reports during his career, most recently last year.

He saw several issues with the draft report, including: that the Corps did not lay out the costs and benefits of different wall heights; did not examine whether water might seep under the wall; and that it did not extensively address what happens if a surge wave comes over the wall.

Overtopping is a distinct possibility — the Corps has already acknowledged its chosen wall height would not have stopped the peak surges from the Category 4 Hurricane Hugo in 1989.

"The decision is, is the mayor and local sponsor going to support it?" Burkhard queried. "I'd advise them not to in the current state."

The report released in April was only a draft, however. The Corps has been adjusting the path of the wall and taking other comments into consideration this summer. Pennoyer also said Burkhard retired before the Corps started doing feasibility work in its current process — an expedited timeline for studies around the country, including the one in Charleston.

The city of Charleston will release its own formal input on the plan this fall, said Mark Wilbert, the city's chief resilience officer. The team putting the city's suggestions together is led by Waggoner & Ball, the firm that was part of the Dutch Dialogues process, the city's recent collaboration with Dutch experts on flooding issues.

After that, the Corps will release an updated draft before another 30-day public comment period in January.

Environmental details

Burkhard raised questions about whether the project cost estimates were accurate, and pointed out potential problems with availability of materials, like those included in the planned breakwater.

The Corps suggests using granite for the wave break south of the city. The structure would be in the harbor about 230 feet south of The Battery, and stretch parallel to the seawall for 4,000 feet.

In total, the structure would amount to an estimated 547,086 tons of rock, according to the Corps' cost-engineering projections. That's problematic: in all of 2019, the United States produced only 440,000 tons of cut rock, according to a U.S. Geological Survey report.

Pennoyer said final decisions on project materials would not be made until engineering and design work, after congressional approval.

The breakwater was at the center of concern for several state and federal groups, including the U.S. Fish and Wildlife Service and the NOAA National Marine Fisheries Service. Both said the Army Corps needed to avoid cutting through marshes, and wanted more information on what the Corps would do to offset its marsh and fish habitat disruption.

The Environmental Protection Agency also preferred the wall be situated on high ground, and said the Corps should be sensitive to areas of different socioeconomic status, like the Rosemont and Bridgeview Village areas near the Charleston Neck, where there's proposed "non-structural" work. That could include removing homes or flood-proofing them in place.

At the center of many more technical comments was the Corp's "finding of no significant impact."

The designation is a wonky one but is also key: If there was significant impact on the environment, the Corps' proposal would go through a much longer environmental review, including a fresh look at alternatives.

The Corps said in its draft it would mitigate damage to 111 acres of wetlands elsewhere, and thus, the project will not have a significant impact. Plus, the group has been adjusting the wall's path to reduce the amount of wetlands it would harm, said Wes Wilson, the project manager.

Some still insist on a deeper look.

"To say that this won't have a significant impact on the human environment is puzzling," said Chris DeScherer of the Southern Environmental Law Center, one of the groups pushing for a deeper review.

Pennoyer said the Corps has not received an official request from a state or federal agency to do the longer review. The Corps is updating its work to avoid natural resources, she said.

Wherever the wall winds as it loops the peninsula, on high ground or through marshes, it will encounter Charleston's history — either nearby historic buildings or even archaeological assets.

The Preservation Society of Charleston also asked for more environmental review, something that would include a deeper look at the plan's effects on cultural resources.

In addition to the wall and breakwater blocking views between the downtown historic district and sites like Fort Sumter, the Society signaled concern that heavy construction work like pile-driving could damage historic structures nearby.

The Corps would have a plan in place to monitor for damaging shaking.

Other worries

Many comments came from people and institutions outside the wall, including the S.C. Aquarium.

The main public space of the facility is above the height of the wall, part of the Corps' rationale for leaving it outside the perimeter. But several important pieces of infrastructure are not, including its nursery for injured sea turtles and machinery that supports animals in the aquarium above, CEO Kevin Mills wrote in a letter.

Aquarium employees already have to deploy temporary flood control structures used by the building when tides reach a certain height, he wrote. The Aquarium estimates that lifting its most flood-prone equipment could cost between \$30 million and \$50 million.

Routing around the aquarium, however, would mean putting the wall in the Cooper River and potentially impacting navigational channels, Pennoyer said.

Beyond that, several residents of the Lowndes Pointe area expressed confusion about what the wall would mean for their properties. The finger of land juts into the Ashley River's marshes on the north end of the Wagener Terrace neighborhood. It was not included inside the preliminary path for the wall.

The Corps has said gates would allow pedestrian and vehicle traffic through at several points, but those gates would be closed in case of a tropical cyclone or high tides at 8 feet or higher.

"If the walls were closed how would I access my home?" one Lowndes Pointe resident wrote. "How would I access the city if I decided to shelter in place?"

There were similar worries from residents of the Dockside Condominiums near the Aquarium, also outside the wall. The finer points on how to operate the gates would be the responsibility of the city of Charleston, should they be built, Pennoyer said.

Ultimately, one commenter worried the wall could also be a detriment to those inside it. Joshua Robinson, a hydrologist with Robinson Design Engineers, said one of his major concerns is people inside the wall being lulled into a false sense of security.

"We've seen this in (Hurricane) Katrina where walls provide a sense to the residents that they're safe behind the wall," Robinson said. "Those are the types of things that cause us concern."

US Army buys two new supercomputers to meet data analytics demand

<https://www.c4isrnet.com/cyber/2020/08/21/us-army-buys-two-new-supercomputers-to-meet-data-analytics-demand/>

C4ISRnet - Washington, DC - 8.22.20

By Andrew Eversden

WASHINGTON — The U.S. Army has bought two new supercomputers to boost data analytics capabilities in response to customers across the military branches requesting such services.

The U.S. Army Corps of Engineers awarded a contract worth nearly \$32 million to Colorado-based company Lqid. The computers will be installed at the Army Research Laboratory's DoD Supercomputing Resource Center at Aberdeen Proving Ground, Maryland, according to an Aug. 11 announcement from the Department of Defense.

Offices across all the armed services primarily came to the resource center asking for help building models, but recently the resource center has received a spike in requests for mass data analytics services, said Matt Goss, director of the center.

"The primary customer base for the [High Performance Computing Modernization Program] has been the physics-based modeling, which are your weapons designers and that kind of stuff — it's all based on physics effects. Now it's more folks are focused on 'I got this data from this model, how can I interrogate it? The way I've done it in the past with Excel and 20-year-old script isn't efficient anymore because I have so much of it,' " Goss told C4ISRNET in an interview.

The High Performance Computing Modernization Program, or HPCMP, provides advanced computing capabilities to the DoD's research, development, test and evaluation community.

The purchase of the two new supercomputers will add an additional 15 petaFLOPs — a unit of measurement for computer speed — to the HPCMP's supercomputing capability. HPCMP's supercomputing capability is now 82 petaFLOPS in aggregate.

"We're talking about extremely high performance, extremely latest and greatest. Literally some of the cutting-edge technology that industry is offering is included in this machine," Goss said.

He added that the demand for the new capabilities was high but declined to name any projects awaiting the delivery of the new capabilities. The new technology is meant to allow the HPCMP to expand its workload.

Kevin L. Ropp

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Visit <http://about.me/USACEHQ> for a complete list of all our Social Media sites.

CLASSIFICATION: UNCLASSIFIED

From: [Delarosa, Damon A COL USARMY CEPOA \(USA\)](#)
To: [Gibbs, Kirk E COL USARMY CEPOD \(USA\)](#); [Bowker, Randall L CIV USARMY CEPOA \(USA\)](#)
Subject: RE: USACE Daily News: October 16, 2020
Date: Monday, October 19, 2020 8:57:36 AM

Sir,

Both Murkowski and Sullivan have come out vocally against the mine recently, most recently both of them made comments at AFN last week. That said, in my discussion with MG Graham, he told me not to consider political pressure in my decision. The team has come to me with an initial recommendation. I'm not comfortable with that yet, and told them I want to wait until the mitigation plan has been officially submitted and reviewed. The courtesy review has revealed multiple fatal flaws that the company will have an opportunity to address before final submission next month.

I'd be happy to discuss further with you on a call if you'd like.

Regards,
Damon

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Sent: Monday, October 19, 2020 10:47 AM
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Subject: FW: USACE Daily News: October 16, 2020

Damon/Randy,

Any further discussion/plan to render a decision on Bristol Bay? I did not know if SEN Murkowski's comments at AFN would have an impact. Don't need details...just a quick update.

KG

Kirk E. Gibbs
Colonel, US Army Corps of Engineers
Commander, Pacific Ocean Division

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From: Ropp, Kevin L CIV USARMY CEHQ (USA) <Kevin.L.Ropp@usace.army.mil>

Sent: Friday, October 16, 2020 1:12 AM

To: Ropp, Kevin L CIV USARMY CEHQ (USA) <Kevin.L.Ropp@usace.army.mil>

Subject: USACE Daily News: October 16, 2020

USACE Daily News

October 16, 2020

Border Barrier:

National:

*** Murkowski denounces Pebble mine at AFN and says she will take additional steps to protect Bristol Bay**

<https://www.adn.com/business-economy/2020/10/15/murkowski-denounces-pebble-mine-at-afn-and-says-she-will-take-additional-steps-to-protect-bristol-bay/>

Anchorage Daily News - Anchorage, AK - 10.15.20

*** U.S. military says South Korean workers may be laid off amid row over costs**

<https://www.reuters.com/article/instant-article/idUSKBN2H70Z4>

Reuters – London, UK – 10.16.20

Local:

*** Property owner owes \$41,000 for cutting trees on federal land beside a Kentucky lake**

<https://www.kentucky.com/news/state/kentucky/article246393495.html>

Herald-Leader - Lexington, KY - 10.15.20

Other:

*****FULL ARTICLES*****

Murkowski denounces Pebble mine at AFN and says she will take additional steps to protect Bristol Bay

<https://www.adn.com/business-economy/2020/10/15/murkowski-denounces-pebble-mine-at-afn-and-says-she-will-take-additional-steps-to-protect-bristol-bay/>

Anchorage Daily News - Anchorage, AK - 10.15.20

Alaska District - Pacific Ocean Division

By Alex DeMarban

Sen. Lisa Murkowski, R-Alaska, on Thursday denounced the Pebble mine project and said that she will take further congressional action to protect the Bristol Bay region in Southwest Alaska.

"I recognize the need for new economic development in Southwest Alaska, I think we all do," she said in a speech before the Alaska Federation of Natives.

"But I simply think this is the wrong mine in the wrong place," the senator said, echoing the words of the late Alaska Sen. Ted Stevens.

Murkowski, speaking by video during AFN's annual convention, said she would introduce report language into the Senate Appropriations Committee next year to help protect the region where the mine is proposed for construction.

"But while we may have stopped Pebble today, I think now is the time to start thinking about the future," she said. "We need longer-term protections for the region that can also provide enduring values for Alaskans."

Murkowski did not specify the steps she would take. A spokeswoman in her office declined to provide additional details.

Pebble has received a strong environmental review from the Army Corps of Engineers showing the project won't harm the fishery in Bristol Bay, said Mike Heatwole, a spokesman with Pebble Limited, in a response sent by email.

"We don't want to comment beyond that until we know exactly what the senator intends to do," Heatwole said.

AFN, the state's largest Native organization, is holding its annual convention virtually this year for the first time, in response to the COVID-19 pandemic. The event, first held in 1966, ends Friday.

Though Murkowski said Pebble has been "stopped," the project could still receive a permit for construction from the Army Corps of Engineers. If built, it would be about 200 miles southwest of Anchorage.

If the Corps issues a permit, that could lead to a multi-year review of the copper and gold project by Alaska regulators before the mine can be built.

Project developer Pebble Limited Partnership is completing a final report, due next month, that it hopes will satisfy the Corps. The final report will set the stage for a decision from the Corps to approve a permit or reject it.

Murkowski told AFN she has been "clear throughout" that she opposes the project.

While the senator has questioned the Corps' environmental review that began more than two years ago, she first issued a statement opposing the project receiving a permit on Aug. 24.

She was joined that day by Sen. Dan Sullivan, R-Alaska, who also publicly expressed his opposition to

the mine for the first time. He is facing challenger, Al Gross, a Democratic-nominated independent, and the mine is a central issue in the campaign.

The senators' attacks on Pebble continued after the release of videos last month that showed two project executives, including since-resigned Pebble Limited chief executive Tom Collier, asserting that Murkowski and Sullivan were only being political when they spoke against the mine in August.

The senators have denounced the statements as false.

Murkowski on Thursday said she would build on the Senate Appropriations Committee report language she introduced last year, which called on the Corps to address scientific shortcomings.

Nelli Williams, director of Trout Unlimited in Alaska, said she was pleased to hear Murkowski say Bristol Bay needs long-term protections. She said critics of Pebble, like her group, can't stop until the project is completely dead.

"It's great to see Alaskans across the political spectrum coming together to oppose a dumb idea so we can all look forward to a more prosperous future for Bristol Bay and the fishery and the recreational and tourism businesses out there," she said.

Also on Aug. 24, the U.S. Army, the Corps' parent agency, said in a statement that the mine cannot be permitted as proposed. The Corps also said that week in August that "discharges at the mine site would cause unavoidable adverse impacts to aquatic resources" in the Bristol Bay region, resulting "in significant degradation to those aquatic resources."

But the Corps also allowed Pebble to submit its final plan, showing how the company would compensate for damage at the mine site. Pebble is hoping its current work updates the project to an acceptable level.

Pebble executives say the Corps' final environmental report, released in July, found the mine can safely coexist with the fishery. Conservation groups have said the report is flawed.

Sullivan is scheduled to provide his congressional address to AFN on Friday at 9:40 a.m., and will appear in a candidate's "interview" that will also feature Gross at 2:10 p.m. on Friday.

U.S. military says South Korean workers may be laid off amid row over costs

<https://www.reuters.com/article/instant-article/idUSL4N2H70Z4>

Reuters – London, UK – 10.16.20

Far East District – Pacific Ocean Division

By Hyonhee Shin

SEOUL (Reuters) - The U.S. military will put nearly 9,000 South Korean workers on unpaid leave from April in the absence of an agreement on the sharing of costs of maintaining 28,500 U.S. troops in

South Korea, it has told the government.

The allies are at odds over how much of the cost South Korea should shoulder to accommodate U.S. Forces Korea (USFK), a legacy of the 1950-53 Korean War that ended in an armistice, not a peace treaty.

Negotiations have made little progress even after the previous deal, the Special Measures Agreement (SMA), expired at the end of 2019.

The workers, who are mostly employed at U.S. bases, were put on unpaid leave in April, which led to a temporary agreement in June to let South Korea fund some 4,000 of them.

USFK, in a Oct. 5 letter to the labour ministry seen by Reuters, said temporary funding would expire on Dec. 31 and it could only pay the workers until March.

“We still face a labour funding deficit for the rest of calendar year 2021,” the U.S. military said.

“Absent a signed SMA or related bilateral agreement, USFK may need to furlough ... Korean national employees starting no earlier than April 1.”

President Donald Trump has said South Korea should pay more and the disagreement raised the prospect that he could push to withdraw at least some U.S. troops, as he has done elsewhere.

Cost-sharing talks were a major sticking point during an annual security meeting this week between Defence Minister Suh Wook and U.S. Secretary of Defence Mark Esper in Washington.

They said in a statement they had agreed to finalise a deal, citing “the impact of the lapse on the alliance”, but failed, for the first time since 2008, to stipulate pledges to “maintain the current force level of USFK”.

A South Korean military official said Esper had expressed concern the absence of a deal could “impact our joint readiness”.

“But they also reaffirmed ‘unshakable commitment’ to the combined defence in the statement, that’s what we focus on instead of the mere number of troops.” said the official, who declined to be identified.

Property owner owes \$41,000 for cutting trees on federal land beside a Kentucky lake

<https://www.kentucky.com/news/state/kentucky/article246393495.html>

Herald-Leader - Lexington, KY - 10.15.20

Nashville District - Great Lakes and Ohio River Division

BY BILL ESTEP

A \$40,000 fine for cutting trees? Yes, if they're on federal land.

A Northern Kentucky woman has been ordered to pay \$41,251 after allegedly having trees cut on federal property to improve the view of Lake Cumberland from a house she owns.

Stephanie R. Watson, of Fort Thomas, was cited for destruction of trees on public property in the case.

The case happened in Pulaski County, where Watson owns a home overlooking the popular lake.

A U.S. Army Corps of Engineers ranger on patrol on the water saw trees cut to the edge of the lake in June 2019, according to the citation. Officers returned to the property and documented trees cut on federal property, Ranger Judy Daulton said in the citation.

The corps operates the lake and holds a strip of land surrounding it.

A view on Google Earth showed the trees standing when Watson bought the property in mid-2018, the citation said.

The house is an income property with an Airbnb listing "touting its view of the water," the citation said.

The trees that were cut would have blocked the view, according to the citation.

An internet listing from the fall of 2018 showed a view of the water that wouldn't have existed when Watson bought the property, federal authorities said.

A prosecutor introduced 37 photos of tree stumps at Watson's trial before U.S. Magistrate Judge Hanly A. Ingram, according to the court record.

Watson told rangers she knew nothing about the trees being cut. However, Ingram entered a judgment against her.

Ingram ordered Watson to pay the Corps restitution for the trees. She has until September 2030 to finish paying.

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Subject: RE: Pebble Mine Media Update

Thanks for sharing Luciano. Pebble articles have also been highlighted in the daily USACE news push from HQ. I appreciate the great vertical coordination and talking points.

Damon

From: Vera, San Luciano CIV USARMY CEPOD (USA) <San.L.Vera@usace.army.mil>
Sent: Tuesday, November 17, 2020 8:53 AM
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Subject: Pebble Mine Media Update

Gentlemen,
POA PAO received multiple media queries after the compensatory mitigation plan submission on 16 NOV. Overall the coverage has been NEUTRAL and HQs PAO is in the loop as well.

We will continue to monitor and provide any assistance as necessary. Please let us know if you have any questions.

SITUATION: On 16 NOV, Northern Dynasty Minerals, Ltd. announced their submittal of a compensatory mitigation plan to the Alaska District via news release. The Public Affairs Office received seven media queries from Anchorage Daily News, Politico, E&E News, Outside Magazine, Los Angeles Times, KTUU Channel 2 News and the Hill. Essentially, each reporter asked when the

submitted plan will be uploaded to the Pebble Project EIS website for public consumption. In response, we confirmed receipt of the plan; however, that we are in the process of reviewing it, too. Furthermore, if and when it was compliant with applicable laws and regulations, then it will be uploaded to the website.

KEY MESSAGES IMPLIED/EMPHASIZED:

- USACE is committed to being open and transparent as possible with the public and news media regarding this project.
- The agency is committed to maintaining and restoring the Nation's aquatic resources, while allowing reasonable development through fair, flexible and balanced permit decisions.
- No decision on the application has been made, yet.

OUTLOOK: Neutral. This was an expected event following the Aug.20 letter sent to the applicant concerning their requirement to submit a compensatory mitigation plan within 90-days. Though we are in the process of reviewing the plan for compliance, the public's focus and expectations are shifting to the Record of Decision – the next major milestone in the process.

RELEVANT LINKS:

Northern Dynasty Minerals Press Release:

https://www.northerndynastyminerals.com/site/assets/files/4877/november_16_2020.pdf

Anchorage Daily News

<https://www.adn.com/alaska-news/2020/11/16/pebble-mine-submits-final-report-setting-stage-for-trump-administration-decision-on-permit/>

Politico (News Brief)

<https://www.politico.com/newsletters/morning-energy/2020/11/17/its-electric-791689>

Pebble Project EIS Website

<https://www.pebbleprojecteis.com>

V/r

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